THE INDIA OFFICE

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in the India Office*

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To four of my oldest friends, now serving in the Indian Empire:

Walter Seton Cassels, O.B.E., I.C.S.

Sir Walter Marris, K.C.S.I., K.C.I.E., I.C.S.

Major-General J. H. Keith Stewart, C.B., D.S.O.

Hopetoun Gabriel Stokes, C.I.E., I.C.S.;

and to the memory of a fifth,

Edmund Candler, C.B.E.

M. C. C. S.

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PREFACE

An attempt is made in this little book to describe the Home government of India, and for this purpose it has seemed necessary to trace briefly the earlier history of the connection between Britain and India, and to give some account of the framework of Indian administration. Much of its contents, therefore, may seem somewhat remote from the India Office. But the functions of the Secretary of State for India in Council would hardly be intelligible were all notice omitted of the East India Company and the Board of Control, while he might be in danger of being made to resemble the proverbial "chimæra bombinans in vacuo" if nothing were said about the authorities to whom his despatches are addressed, the manner in which the Indian Constitution has developed, or the composition of the Indian Services. Considerations of space would in any case have prevented anything more than a very brief sketch of the Indian side of the picture, and my object has been to touch only upon questions on which, before and after India passed under the direct rule of the Crown, the Home Government and the Imperial Parliament have used authority or exercised influence. Students of Indian affairs will probably find in these pages nothing new, but it may be useful to bring together, even in a very small space, the leading facts in the relations of the Imperial Government with India. For the

standard Indian histories are so full of stirring events in the East that they can pay little attention to the Home administration, and the numerous books, pamphlets and articles in which Indian constitutional problems are discussed have not always been quite accurate in their treatment of the part played by the Secretaries of State.

As regards the India Office itself, I can only hope that twenty-seven years' service has not altogether incapacitated me for conjecturing what facts may and what cannot interest the wider public to whom this book is submitted.

I have to thank two Secretaries of State, Lord Olivier for originally granting, and the Earl of Birkenhead for confirming, permission to write on the work of the Department to which I belong. But this book carries no official authority, and I am solely responsible for statements of fact, and, if such there be, for expressions of opinion.

I am greatly indebted, for valuable aid ungrudgingly given, to more official friends and colleagues than can well be enumerated, but principally to Mr. S. F. Stewart, C.S.I., C.I.E., Assistant Under-Secretary of State, who has contributed the chapters on Finance, Railways, and the Medical Service, and helped me in some other chapters. Sir William Foster, C.I.E., India Office Historiographer, has supplemented personally the information which, like many other writers, I have borrowed from his publications on Indian affairs. I am grateful to Sir Charles Bayley, G.C.I.E., K.C.S.I., and to Sir Arthur Hirtzel, K.C.B., Permanent Under-Secretary of State, for advice on certain points of importance.

Mr. J. E. Ferard, C.B.E., Dr. F. W. Thomas, Mr. H. W. Garrett, and Mr. J. C. Walton, M.C., have kindly given me information on matters of which they have special knowledge.

One aim kept in view has been to trace the continuity between the old East India House and the India Office, and I trust that, in whatever else I have failed, I have entered sufficiently into the old tradition to have conformed with the injunction laid upon a "Writer" in Leadenhall Street by a Director of the East India Company: "The style as we likes is the humdrum."

MALCOLM SETON.

19*th December*, 1925.

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Chapter I

INTRODUCTORY

The office of Secretary of State for India was created by the Government of India Act of 1858 (21 and 22 Vic., cap. 106) whereby the powers and functions of the East India Company were transferred to the Crown. The India Office was thus called into existence, and became responsible for the conduct of all such business connected with the management of Indian public affairs as is transacted in England. But the new institution may be said to have, in a sense, a long and interesting pre-natal history, for British India had been growing for two and a half centuries before the Crown assumed complete responsibility for its administration. The first Charter of the East India Company was granted by Queen Elizabeth in 1600, and the more direct interposition of the British Parliament in Indian affairs was marked by the establishment of the Board of Control in 1784. From the later date two offices in London were occupied with Indian business: the East India House, in Leadenhall, was the home of the East India Company, while the Board of Control, at Westminster, was responsible for the supervision by His Majesty's Government over the operations of the Company. "Dyarchy," as regards India, is not an invention of the twentieth century. The India Office, then, may be described as arising

from the amalgamation of the Company's headquarters in London with the office of the Board of Control, and the personnel of the new Government Department was at the outset formed by uniting the clerks of the two old establishments. Henceforth, of course, the India Office was one of the departments of the Home Civil Service. But it differed from the other departments in one very important aspect: its cost was defrayed entirely from the revenues of India, and not from those of the United Kingdom, until, at the end of the nineteenth century, the report of the Welby Commission on Indian Finance led to a contribution from the Treasury towards certain heads of Indian expenditure. By the Government of India Act 1919 the salary of the Secretary of State for India was for the first time put upon the Parliamentary estimates. At present the cost of the department is shared between Great Britain and India, the latter meeting the expense of such proportion of the charges as would in any case fall upon the Government of India for business done in London; while the British Treasury finds the money for the salary of the Secretary of State and for such proportion of the salaries of his subordinates as is taken to represent the cost of the administrative control exercised by His Majesty's Government. The Act of 1919 also provided for the appointment in London of a High Commissioner for India, and was immediately followed by the creation of a separate office for the new functionary. But under the present arrangements, which are necessarily provisional, some work of an "agency" character is still conducted by the India Office

which receives from the British Treasury a lump sum contribution (to be adjusted later on) in consideration of its higher administrative functions.

A second important distinction between the India Office and other departments lies in the presence therein of the Council of India, created by the Act of 1858. For most purposes the supreme authority under the Crown and Parliament for the control of Indian affairs is the Secretary of State in Council of India, and not a sole Minister, though, as will be seen later, the Secretary of State possesses considerable powers apart from his Council.

And here, perhaps, a word of explanation may be offered as to the bewildering variety of bodies with the common name of "Council" existing in connection with the Government of India. Secretaries of State in the earlier days of their term of office have been known to show signs of imperfect education in this matter, while it is actually rare to find, when high officials of the Indian Services attract the notice of the Press by such accidents as death or promotion, an entirely accurate appreciation of the fine distinctions between the various bodies on which they have served.

The word "Council" then, is used, as regards India, in three distinct senses, and there are at present no less than twenty-one separate bodies possessing the name. "The Council of India"* sits not in India but at the India Office in London. The term "Council bills," found in the financial

* Before 1858 the Governor-General's Council had been styled "The Council of India."

columns of the Press, relates to the means whereby the expenses of the Secretary of State in Council are met by the sale in London of drafts on India.

Secondly, though of far older origin, come the Executive Councils in India, which were created in the three Presidencies of Bengal, Madras and Bombay in the eighteenth century. When the Governor-General of the Presidency of Fort William in Bengal became the Governor-General of India, the Executive Council of the original Presidency of Bengal saw its powers similarly enhanced. Executive Councils have been formed in recent years in all the major provinces of India. An Executive Council is practically a local Cabinet.

And, thirdly, the name Council is shared by the legislative bodies in India. A legislative Council is now a local Parliament, predominantly elective in character though containing a minority of nominated members. Until the Act of 1919 the Central Indian Legislature was styled the "Legislative Council." The Act substituted for this single chamber a bicameral legislature; the upper house (corresponding generally to the Senate of certain Dominions) is called "the Council of State," while the larger and more popular Chamber is "the Legislative Assembly." But the name "Legislative Council" is naturally preserved for the local legislatures of each of the nine major Provinces.

For over sixty years the India Office was (except in so far as such British Statutes as the Superannuation Act applied to its personnel) controlled

solely by the Secretary of State in Council, subject of course to Parliament. Though care was taken to organize the office as a whole on the lines laid down for the Home Civil Service, he could create special appointments, necessitated by the character of the work, which had no exact counterparts elsewhere, and enjoyed a degree of freedom fettered only by his own corporate financial conscience in such matters as the grant of compassionate allowances to superannuated charwomen. Now the influence of the Treasury is asserted by precept as well as example, and a friendly understanding enables their Lordships to supervise the India Office without insisting on meticulous control of minor details.

The actual day-to-day work of the India Office arises out of things that happen six thousand miles away, but it is the channel of communication between the Imperial Government and the Government of India, and is, therefore, in close touch with most of the Imperial Departments. The extent to which Indian official business is transacted in London depends ultimately on the terms of British Statutes relating to India, but in practice is governed by the degree of delegation to authority in India of his general powers of superintendence and control that the Secretary of State has from time to time found necessary or desirable. His control is exercised over such multifarious subjects, and his responsibility to Parliament compels him to require information on so many matters which do not call for or even admit any action on his part, that an enormous mass of communications flows weekly by mail and daily by cable from India

to Whitehall and back. And thus, while the exclusively Indian character of its occupation makes the interests of the India Office narrower than those of the Colonial Office or the Foreign Office, the volume and complexity of Indian affairs lend infinite variety to its work.* In its relation to India the India Office may be said to combine functions analogous to those of a Treasury, a War Office, a Home Office, a Board of Trade, a Civil Service Commission and a Foreign Office. On the other hand, the conduct of Indian business in England necessitates constant consultation with the War Office on military matters, the Foreign Office as regards the relations between India and her territorial neighbours and the treatment of British Indian subjects by Foreign Powers, the Colonial and Dominions Offices in connection with the position of Indians in the Dominions and Colonies, the Board of Trade as regards commercial matters and the interests of lascar seamen. The Civil Service Commission co-operates with the India Office in the selection of candidates for the Indian Civil Service and the Indian Police. The Admiralty has interests in Indian waters, the Judicial Committee of the Privy Council hears

* "The India Office is a miniature Government in itself. There is not a branch of administrative or executive work connected with the big Government which is not represented inside the Office, and the great bulk of the questions that come on from the Government of India are not trivial or prosaic details of administration, but questions either of importance, or matters upon which there is difference of opinion or controversy, or connected with change or reforms."—Lord George Hamilton, "Parliamentary Reminiscences, 1868-1885," p. 68.

appeals from the judgments of Indian Courts, the General Post Office is concerned with the transport of Indian mails, and common interests in judicial and police affairs link the India Office with the Home Office and the Scottish Office—for example, a suspect may have to be arrested in Great Britain, charged with an offence committed in India, and be removed to stand trial in that country. Miscellaneous business brings the India Office from time to time into touch with most departments in London. Apart from the official world, members of the public constantly apply for information about India, which is always given when possible, and the doors in King Charles Street are open freely to inquirers who wish to discover whether a son is eligible for an Indian appointment, to get news of a relative wounded in action or injured in a riot, to ascertain the conditions regulating commercial or mining enterprise, or to discover what precise bore of sporting rifle may be imported into India.

Chapter II

THE EAST INDIA COMPANY AND THE BOARD OF CONTROL

THERE is probably no other chapter of the Imperial record on which information is so copiously provided by historians, and so successfully evaded by the educated British public, as the story of the formation and development of the British Empire in India, and no attempt will be made in these pages to repeat the tale. But a preliminary sketch of the share taken by the British Crown and Parliament in the control of Indian affairs before the Act of 1858 may not be out of place.

The powers of the East India Company were derived from a series of Charters granted by the Crown. Only fifteen years after the original Charter to the Governor and Company of Merchants trading to the East Indies, James I despatched Sir Thomas Roe as ambassador to the Mogul Emperor Jehangir, thereby giving official support to the infant commercial adventure. The growing responsibilities of the Company, which in the disorder of seventeenth-century India had to fight for its existence and to begin the exercise of administrative functions, influenced the terms of the constantly renewed Charters: thus in 1661 the Company was authorised to make peace or war with non-Christian powers. The marriage of Katharine of Braganza to

Charles II brought as dowry the Portuguese Island of Bombay, but the British Crown abandoned after three years (1665-1668) the first attempt at direct administration in India, ceding the new possession for an annual rent of £10 to the East India Company. The profits of the Eastern trade soon aroused the attention of the Government, while the Company's pressure of its monopoly to the persecution of British "interlopers" raised questions which could not be ignored. The idea of something more than trading intercourse found expression before the end of the century: in 1686 the Directors had it in view to "establish such a polity of civil and military power, and create and secure such a large revenue as may be the foundation of a large well-grounded sure English dominion in India for all time to come." This Imperialist declaration of policy, however, was not consistently followed up: dividends ranked before dominion for at least half a century more. The factory at Surat, the nucleus of the Bombay Presidency, had been established in 1612, Madras (as a dependency of Bantam—for the Company's earlier efforts were concentrated more on the East India Islands than on the continent) dates from 1640, and was formed into the Presidency of Fort St. George in 1684, and (though Calcutta was not acquired until 1699) the Company's trade with Bengal began in 1633. The Company had to pay heavily for the renewal and extension of privileges, and the grant of a Charter to a competing body, the "New Company," in 1698, might have brought it to ruin had not amalgamation been effected in 1708, after intrigues and controversies closely interwoven with

the vicissitudes of English party politics. International rivalries in the East necessarily compelled the British Government to take an increasing interest in India. The Dutch, who had hit the Portuguese power very hard before we entered on the scene, were at first our most formidable competitors—their last possessions on the Indian mainland were not ceded to us until 1824. Denmark founded a few small settlements on the coast, and the ambitious plans of the Ostend Company (Belgium being then under the Austrian Crown) might well have given Germans an active part in the rivalry. Through most of the eighteenth century England and France were at grips in India as in America. French and English Companies' servants sometimes fought each other in India, each intervening in the civil wars of the Deccan and the Carnatic, while the countries were technically at peace, but when England was actually at war with France the preservation of our position in India necessitated the despatch of King's ships and King's troops, and a Chartered Company which had to rely upon the armed forces of the Crown could no longer be regarded as merely an unofficial venture. The great expansion of dominion that resulted from the victories of Clive and Eyre Coote made it obvious that England had become a territorial power in India, and the government of those territories inevitably became a matter of national concern. Clive himself suggested to Chatham (whose family owed its fortunes to India) that the Crown ought to assume direct control, and in the debate on Fox's India Bill in 1783 Dundas made

the suggestion that a Secretary of State for India might be appointed.

From 1766 onwards Parliament showed an increasing interest in Indian affairs. Some of the returned Anglo-Indians who had "shaken the pagoda tree" and picked up valuable fruit made themselves unpopular at home, and the desire of Parliament to intervene was quickened by two very diverse feelings, jealousy at seeing the enormous profits from the Government going into the pockets of the shareholders of a commercial company, or of their individual employés, and uneasiness at the methods by which such profits were acquired. Adam Smith frankly advocated the assumption of British Indian government as a means of relieving the home revenues.

Bengal had become a separate Presidency in 1700, a dignity that Bombay did not attain till 1715, but it was the grant of the "Diwani" (revenue administration) of Bengal, Bihar, and Orissa, which Clive obtained for the Company in 1765, that first gave it a dominating position outside the Madras Presidency. The great successes won by Englishmen in the East were recognized at home by bitter Parliamentary attacks on Clive and the imposition of an annual tribute of £400,000 on the Company. In 1772 Parliament appointed both a Select and a Secret Committee to inquire into Indian affairs (a procedure repeated in 1781), and the result was Lord North's "Regulating Act" of 1773, which established a Governor-General in Council in Bengal, and created the Supreme Court of Calcutta, independent of, and inevitably destined to bicker with,

the Company's Executive. A quarrelsome English politician, Sir Philip Francis, was sent out as member of the new Council. Meanwhile, as Sir Courtenay Ilbert* puts it, "while the servants of the Company were amassing colossal fortunes, the Company itself was advancing by rapid strides to bankruptcy," for wars and subsidies to Indian princes depleted its exchequer. By another Act of 1773 Government made it a loan of £1,400,000, gave easy terms of repayment of debt, imposed a limit on its dividends, compelled it to submit its accounts to the Treasury, and required it to export regularly British goods to a certain value. Thus the Company's financial affairs came under State supervision, and at the same time, by the terms of the Regulating Act, the Directors were required to lay before the Treasury all correspondence on revenue matters, and before a Secretary of State all correspondence on government and civil and military affairs received from their servants in India. In 1781, when the Charter was renewed for ten years, the same requirement was made in the case of the Directors' orders to the Indian authorities. It was also provided that after the Company had paid an eight per cent. dividend to the shareholders, three-quarters of the surplus should go to the British Treasury. The State had already become an active partner in the Government of British India, and Pitt's Act of 1784 greatly increased its share in the administration by establishing the "Board of Commissioners for the Affairs of India," commonly called the Board of Control. This measure did not go so far as Fox's bill of the

* "Government of India," 1922 edn., p. 40.

previous year, which was defeated because of the general distrust of the use which Ministers might make of the patronage to be acquired.* It is somewhat strange to find that while the King's approval of the appointments of Governors-General made by the Directors was specifically required between 1781 and 1786, this provision was abandoned between 1786 and 1813. But the Crown acquired in 1784, and henceforth retained, power to recall the Governor-General. For seventy-four years the head of the administration in India was liable to be dismissed by either of his two masters, whatever view the other might take, and it is known that the Government did in 1807 recall Sir George Barlow, and that the Directors recalled Lord Ellenborough thirty-seven years later. The dual constitution set up in 1784 has often been described, but, as the President of the Board of Control was the precursor of the Secretary of State for India, something must be said of it here. The Board (originally consisting of the Chancellor of the Exchequer, a Secretary of State, and four other Privy Councillors), was in fact a Cabinet committee, its members losing office on change of Ministry. The President soon came in practice to exercise all its powers, but up to the last the signature of two members was required for formal orders. He could send no direct orders to India, except when the Directors neglected or

* Pitt's description in the House of Fox's bill was that "it raised up a new power in the Constitution; that it stripped at once the Crown of its prerogative and the people of their chartered rights; and that it created the Right Honourable gentleman the dictator of his king and his country."

delayed to forward his instructions, but a Secret Committee of the Directors, forbidden to disclose to their colleagues any orders requiring secrecy, was bound to transmit his communications. Apart from the secret business, the Directors had to furnish the Board with copies of all their proceedings, submit drafts of all despatches to India, and accept any alterations that the Board might make. Thus while the Company for a time retained its commercial functions, the President of the Board could dictate policy, and questions of peace and war or diplomacy were settled by him. The Directors had the right of appeal to the King in Council against decisions of the Board, but this in fact meant little. The Proprietors could not suspend or annul any resolution of the Directors which was approved by the Board. The Company had changed in character: its servants retired from India had, by buying stock, become Proprietors and were eligible for election as Directors, so that the management in London of its affairs passed largely from untravelled City merchants to expert hands—a development which tended to make the admonitions sent by their "loving friends"—as the Directors always signed themselves—to the Governor-General less trivial but more embarrassing. The appearance of Clive on the English political scene and the impeachment of Warren Hastings—whatever else may be thought of the latter event—made political leaders at home more generally interested and more closely concerned in Indian affairs for some fifty years after 1784 than at any other period before or since. The question of renewing the Company's Charter

came up periodically (1793, 1813, 1833, 1853), and thus gave rise to exhaustive parliamentary inquiries into Indian affairs. The Governors-General and some of the Presidency Governors were men in English political life: after the appointment of Cornwallis it was most exceptional for a Company's servant to become Governor-General except for a short acting term; and Wellesley, Minto and Ellenborough had all served on the Board before taking office in India. In 1788, in the dispute, to be noticed later, over the despatch of King's troops to India, Pitt maintained the power of the Board to take any step regarding political or military concerns or the revenues of India which the Directors could have taken before 1784, and Dundas took the high ground that, if it should appear necessary for the security of our Indian possessions, the Board had power to apply the whole of the revenues of India to that purpose without leaving a single rupee for the Company's investments.* The Act of 1793 confirmed the territorial acquisitions of the Company "without prejudice to the claims of the publick": that of 1813 declared the "undoubted sovereignty of the Crown of the United Kingdom" over British India; and the Act of 1833 definitely assigned to the Company the position of "trustees for the Crown of the United Kingdom." The process had two sides: the principle which Mr. Ambassador Page announced to British statesmen as if it were a new and original discovery of the twentieth century American mind,

* Auber, "Analysis of the Constitution of the East India Company," 1826, p. 444.

that of responsibility for the welfare of subject peoples and the view of sovereignty as a trust, was established here when Burke, for all the scurrility and indiscriminateness of his attacks on Warren Hastings, taught the peoples of India that they could look to the British Parliament for the redress of grievances.

Meanwhile the power of the Company waned steadily. In 1813 it lost the monopoly of the Indian trade while retaining that of the British trade with China. In 1833 it was entirely stripped of its commercial functions, and lost the power of restricting by license the entry of British subjects into India. The Act of 1853 compelled it to throw open to competition all posts in the Indian Civil Service, hitherto filled entirely by Directors' nomination, and reduced the number of Directors from twenty-four to eighteen, six of whom were to be appointed by the Crown. The Mutiny, proving to all that the dual system of Government had failed, was believed by most to show that the Company was responsible for the failure. Vain was the spirited defence of his masters that John Stuart Mill* offered: "Under the existing system Her Majesty's Government have the deciding voice. . . . Her Majesty's Government are thus in the fullest sense accountable for all that has been done, and for all that has been forborne or omitted to be done. . . . To believe that the administration of India would have been more free from error had it been conducted by a Minister of

* Memorandum of the improvements in the administration of India during the last thirty years, and the Petition of the East India Company to Parliament. London, 1858; pp. 113-114.

the Crown without the aid of the Court of Directors, would be to believe that the Minister, with full power to govern India as he pleased, has governed ill because he has had the assistance of experienced and responsible advisers." The Company may have been to some degree a scapegoat, but all parties in England concurred in the necessity of transferring its powers to the Crown. The Act of 1833 had guaranteed an annuity to the shareholders for forty years. So as a corporation it survived until 1874, when it was wound up.

Whatever may be thought of the principle of patronage, the Directors had on the whole provided India, for the last sixty years of their existence, with a remarkably capable series of civil and military officers, and it is interesting that, as regards the Home establishment, the first Secretary of State, Lord Stanley (himself President of the Board of Control) found it very difficult to grade together the two sets of officials who were to man the new India Office, because "the East India Company's officials were so superior to those of the Board."* But the East India House in Leadenhall Street is, perhaps, more famous for having employed men who won distinction outside its walls—James Mill † and his

* Lord George Hamilton, "Parliamentary Reminiscences, 1868-1885," p. 101.

† Mill, Peacock, and the younger Mill were successively "Examiner of Indian Correspondence," which meant head of the Company's Secretariat; John Stuart Mill specialised on the Political work. "Anyone," said his old colleague, Sir Thomas Seccombe, when Financial Secretary at the India Office, "who accepted Mr. John Stuart Mill's opinion on a matter of practical finance would justly be esteemed an idiot." *Ibid.*, p. 102.

son, John Stuart, Thomas Love Peacock and Charles Lamb—than for having attained a high degree of internal efficiency.

Sir William Foster has shown in a recent work* that late in the seventeenth century the life of a clerk at the East India House was far more strenuous than might be supposed; he worked, or at any rate inhabited the building, from 7 a.m. to 8 p.m. in summer, and from 8 a.m. to 7 p.m. in winter (taking, however, a two hours' interval at midday), and got no holidays except for reasons of health or urgent private affairs. But besides public holidays† the whole staff held an annual picnic. ("Derby Day" was in theory an India Office holiday until a few years ago: the privilege is attributed by legend to the sporting tastes of Sir Charles Wood, who also earned the gratitude of the staff by allowing them to smoke over their work, because he enjoyed a good cigar and did not see why his subordinates should be more self-denying.) The Company had its home in Leadenhall Street from 1638; the Board of Control‡ starting life in a corner of the Treasury Chambers, moved successively to No. 3, Downing Street, Dorset House (Whitehall) and Cannon Row—subsequently the office of the Civil Service Com-

* "The East India House: its History and Associations," 1924.

† The nineteenth century, while not exacting such long hours, was even more parsimonious in the matter of holidays. "The Committee," Charles Lamb wrote in 1817, "have formally abolished all holydays whatsoever, for which may the Devil, who keeps no holydays, have them in his eternal burning workshop!" *Ibid.*, p. 183.

‡ "The India Board," by William Foster, C.I.E., 1916.

mission until demolished to make room for New Scotland Yard.*

The Members of the Board (who, as stated above, were Ministers also holding other offices) were at first unpaid. Dundas, who in fact was the leading spirit, and to whose influence with the Directors was attributable the large influx of young Scots into the Indian Services, sat merely as one of the Privy Councillors (he was Treasurer of the Navy) until in 1793 he was appointed President. The original staff consisted of a Secretary (a Member of Parliament), an under-secretary, three clerks, a solicitor and assistant solicitor, two messengers, an office-keeper, and a "necessary woman," but the staff grew. Dundas distributed the work on geographical lines (as in the Colonial Office), a department being allotted to the affairs of each of the three Presidencies, but in 1807 they were re-arranged according to subjects, into four branches, "Secret and Political," "Revenue and Judicial," "Military," "Public and Commercial." A financial branch was added in 1838. Minor changes were made before 1858, but in this scheme we find the origin of five out of the six departments which, until the post-War reorganisation, constituted the Correspondence Branch of the India Office. The salaries of the staff were at first defrayed from British revenues, but from 1793 (when the Commissioners themselves ceased to be unpaid) the charge of the new department was placed on the Company. Its cost rose from £16,000 a year in 1793 to £26,000

* The Home Government provided and maintained the offices of the Board.

in 1813. In the latter year the salaries were established at rates rising from £150 to £400 for junior clerks, to £1,500 for the Secretary. Later on a Permanent Secretary was appointed, and in 1858 the two Secretaries of the Board (Mr. H. J. Baillie, M.P., and Sir George Clerk, K.C.B.) migrated with their Chief, Lord Stanley, to the India Office, where they became the first Parliamentary and the first Permanent Under-Secretary of State.

Chapter III

THE SECRETARY OF STATE IN COUNCIL

WHILE the Act of 1858 transformed the position of India in the Empire, and introduced an entirely new relation between the British Crown and the Indian peoples, the machinery of government in India was, at the time, unchanged, and at home the President of the Board of Control became a Secretary of State, advised by a Council of whose fifteen original members eleven had been Directors of the Company. The Mutiny sharply divided the new India from the old, but, until the process of giving Indian representatives a voice in the government of their country began to develop, Crown administration followed lines already drawn. It has been shown that the Home Government had come to direct Indian affairs far more closely than is sometimes supposed. In all respects other than progress towards self-government the foundations of modern India were laid before 1858, though the opening of the Suez Canal and the establishment (1870) of cable communication were to bring India into closer contact with England. Lord Dalhousie's vigorous development of Public Works had opened the era of railways and telegraphs and started the great irrigation schemes. The process of State education which was to create an English-speaking "intelligentsia," keenly interested in politics, had

been inaugurated. The Act of 1813 required the Company to allot annually to the advancement of education, literature and science, the not very princely sum of 1 lakh of rupees, but a famous despatch of the Directors in 1854, for which Sir Charles Wood is known to be responsible, laid down the lines of future educational policy on the purely Western system which Lord William Bentinck and Macaulay had already introduced, and Lord Canning in 1857 created the Universities of Calcutta, Madras and Bombay. The Act of 1833 had opened a new era by declaring that no native of India should by reason only of his religion, place of birth, descent, or colour, be disabled from holding any place, office or employment under Government in India, but the principle established in this negative form took a long time to grow into positive fruition. Lastly, the principle of open competition had been applied to the Indian Civil Service.

The Company's Governors-General received on occasion more vitriolic criticisms from the Home authorities than have ever descended upon the Viceroys, though such criticisms, necessarily offered after the event, were in the old days more vexatious than effective: unless discord went so far that the Directors or the Cabinet found it necessary to recall the Governor-General, he had to be allowed a fairly free hand. It is true that, in addition to thousands of miles of ocean, the complicated machinery of the dual system was interposed between the Cabinet and the Government of India. But steam and electricity are far more powerful solvents of old conditions than any statute.

The dual system was threatened from 1813 onwards, and had a narrow escape in 1853. But the exact form of the new régime was not easily settled. It was generally agreed that when the India House was swept away the expert knowledge that it had come to contain must be perpetuated in the Home administration. Historians have habitually failed to recognise that we have been far more careful about Indian affairs than about any other of our Overseas interests. The results may or may not have been disappointing, or incommensurate with the trouble taken, but India has been recognised to be so important and its conditions so peculiar, that the Ministers responsible for control have always been furnished with advisers who had proved their ability by actual administrative work in the country itself. The India Office has, like most other human institutions, its own burden of frailties and offences, but it has never been surprised to discover that Cape Breton was really an island, or ordered the chaplain at Grahamstown to ride over and conduct afternoon service at Durban.

Palmerston, Prime Minister in 1857, when he decided that the Company must go, introduced a Bill to establish a new Secretary of State and give him a Council of eight, all nominated by the Crown, but his Government was defeated on the Orsini affair, and it fell to Lord Derby's Ministry to settle the future of India. Disraeli* (as leader of the House of Commons) and Ellenborough (President of the Board of Control for the fourth time, and

* Mr. Buckle's "Life of Disraeli," Vol. IV, describes the Parliamentary history of the measure.

ex-Governor-General) were responsible for a new Bill. They contemplated a Council of eighteen, nine of whom should be appointed by the Crown from men possessing special Indian qualifications, four to be elected by a strange new constituency of persons who had served in India or had financial interests therein, and five to be returned by the Parliamentary electors of the leading commercial cities of the United Kingdom, London, Manchester, Liverpool, Glasgow and Belfast. The House liked the Bill so little that the Government invited it to proceed by Resolutions, the so-called "elective principle" was dropped, and the scheme finally adopted represented a general consensus of Parliamentary opinion. Meanwhile Ellenborough had resigned in consequence of the resentment aroused by the terms of his despatch to Canning about the Oudh proclamation. The vacant post was offered to Mr. Gladstone; had he been willing to serve with Disraeli he would have been the first Secretary of State for India. On his refusal the Board was taken by the Prime Minister's son, Lord Stanley, who on the passing of the Bill became Secretary of State for nine months, the fall of the Government and return of the Liberals in 1859 transferring the seals to Sir Charles Wood (afterwards Lord Halifax), a former President of the Board. He held office for nearly seven years, and was responsible for the direction of the reconstruction of Indian policy under Lords Canning, Elgin, and Lawrence.

The Council that actually came into being was one of fifteen, eight nominated by the Crown and seven elected by the Directors of the Company. The

first fantastic "elective" scheme was apparently regarded by its authors as embodying the idea of democratic representation, but it is obvious now that nothing more unfair to India or more calculated to create suspicion in Indian minds could well have been devised than a plan under which British commercial interests, as such, would have been given a direct control over Indian affairs. Palmerston saw that the supposed analogy between the new device and the old election of Directors by the shareholders of the Company was a false one: the latter "never were chosen or appointed by an authority different from that which held the sovereignty of India." "What is wanted," he wrote* to Delane of *The Times*, "is a council composed of able men conversant with Indian affairs, who may give information and advice to the responsible Ministers of the Crown in regard to Indian affairs, and it is much more likely that the responsible Ministers of the Crown should be able to find out and appoint such men than that any sort of persons who might be formed into a constituency for the purpose should be able to do so." Disraeli had scented in Palmerston's plan for filling the Council entirely with Crown nominees a revival of the seventy years old Whig scheme for securing the Indian patronage which had wrecked Fox's career: but Disraeli himself a little later pressed hard on Lord Stanley to give some of the Council seats to Members of Parliament who deserved well of the party. Fortunately, Lord

* A. I. Dasent, "John Thaddeus Delane," 1908, Vol. I, p. 287.

Stanley stood firm. The Council would, indeed, have been vitiated from the outset if the body intended to provide expert advice and to defend the revenues of India had been recruited from superannuated English party politicians.

Under the 1858 Act the Members of Council, who were to vacate office if they acquired a seat in either House of Parliament, were appointed to hold their office, like Judges in England, "during good behaviour," which in practice meant for life, but could be removed by an address from both Houses. Not less than nine of the fifteen must have served or resided in British India for ten years and left that country within the last ten years. The whole Council was to co-opt new Members to fill vacancies among the seven original representatives of the Directors. The powers and duties of the Council remained practically unaltered until 1919 (when, amidst other changes, the statutory obligation of a weekly meeting throughout the year was reduced to a monthly meeting, though in practice regular weekly meetings have continued), but changes were made in its composition and the conditions of tenure. In 1869 the appointment of all the Members was entrusted to the Secretary of State, not the Crown, and the tenure was altered from "office during good behaviour" to a fixed term of ten years, the Secretary of State having power to reappoint for a further five years. In 1889 power was taken to reduce the number to ten. The Act of 1907 by requiring that Members with the Indian residentiary qualification should have left India within five years brought the Indian experience of

the Council as a whole more up to date, and incidentally put an end to the not unusual process of promoting to the Council retired Indian Civilians who had held administrative posts at the India Office for some years after leaving India. The number was now fixed at a minimum of ten and a maximum of fourteen, and the term of office was reduced from ten to seven years, with power of reappointment for five. But, since 1869, a Member who for any reason has resigned cannot be re-appointed.

The Act of 1919 (the effect of which on the Council's powers will be described later) reduced the number to a minimum of eight and a maximum of twelve, half of whom must have the Indian* service or residentiary qualification, and lowered the term of office to five years, with power of reappointment for five. The salary fixed in 1858 was £1,200, but in 1907 it was reduced to £1,000. In 1919 the salary was restored to £1,200, and it was provided that Members with an Indian domicile should receive a further annual allowance of £600, Mr. Montagu regarding it as equitable to extend to Indians holding office in England the system of "overseas allowance" just established for Englishmen in India. Another provision of the 1919 Act allows officials of the Indian Services who had not completed their service for pension to count for that purpose the term of office on the Council. Service on the Council itself, apart from any previous Government service, was originally pensionable,

* Service or residence in "India" has replaced "British India."

but this section of the Act of 1858 had been repealed in 1869, since which date Council service had been entirely excluded from pensionary qualification.

The Act of 1858 vested in the Crown "the Government of the Territory now in the Possession or under the Government of the East India Company," and all powers in relation thereto which the Company had held in trust for the Crown, and transferred to the Crown "to be applied and disposed of, subject to the Provisions of this Act, for the Purposes of the Government of India," all the real and personal property of the Company except its capital stock and the dividend thereon. The Crown assumed the Company's debts and liabilities, and its contracts, covenants and engagements. "India shall be governed by and in the name of Her Majesty"; power was taken to appoint a fifth* Secretary of State, who acquired all the functions hitherto exercised by the Directors of the Company and the Board of Control, subject to the limitations imposed upon him by the grant of certain powers to the new Council of India. These limitations were important: the chief of them, which has survived the Act of 1919, is that no grant or appropriation of the revenues of India or of any property transferred to the Crown under the Act, can be made, and no money borrowed in Great Britain on the security of Indian revenues, without the concurrence of a majority of the Members of

* The occasional signature of an official despatch to India by the Secretary of State for another Department is due to the constitutional provision that one Secretary of State can exercise the functions of any of the others.

Council. The financial powers of the Secretary of State in Council were limited by a provision (due to Mr. Gladstone's suggestion, and still in force) that except for the purpose of preventing or repelling actual invasion of Her Majesty's Indian Possessions, or under other sudden or urgent necessity, the application of the revenues of India to any military operation beyond the external frontiers required the consent of both Houses of Parliament. Orders directing the actual commencement of hostilities must be laid before Parliament.

The Council, under the direction of the Secretary of State and subject to the provisions of the Act, was "to conduct the business transacted in the United Kingdom in relation to the Government of India and the Correspondence with India." Every "order or communication" to India, and every order made by the Secretary of State in the United Kingdom, was to be laid before it, with the important exceptions of "secret" or "urgent" orders. On "secret" questions (i.e. questions of peace and war and negotiations with Indian States or Foreign Powers, and answers to despatches on the government of India which the Indian authorities had marked as "secret"), the Secretary of State, inheriting the powers of the Board of Control to issue orders through the Secret Committee of the Directors, has never been required either to consult or to inform his Council. He was further empowered to issue without delay orders which he regarded as "urgently required," but (in non-secret business) must record the reasons of urgency and notify the Council. In practice, and by consent of the

Council, this section of the Act enabled the Secretary of State to send telegrams to India in answer to despatches or telegrams requiring immediate answers.

But neither secret nor urgent orders could be issued without Council sanction on matters in which the Act required the concurrence of a majority of Members to be obtained. These matters comprised, besides expenditure and loans, the making of regulations for the distribution of patronage among the authorities in India, the restoration of an officer removed or suspended by the Indian authorities, and the appointment to certain scheduled posts of persons not belonging to the Indian Civil Service.

On all other matters the Secretary of State could over-rule the Council, and a Member dissenting must content himself with recording a minute. Critics of the India Office system alternately censure the supposed disregard of the Council by Secretaries of State, and lament the paralysing of their action by the recalcitrance of the Council: the former comment generally emanates from the Indian official world, the latter from Indian politicians. It is consolatory that each set of critics credits at least one of the partners with good intentions.

The Secretary of State himself signs, and takes full responsibility for, all despatches to India, whereas all despatches emanating from the Government of India, except those in which the Governor-General reports that he has assented to Indian legislation (a matter in which by statute he has sole authority), use the pronoun "we" and are signed by the Governor-General and all Members of his Executive

Council. If any of the latter dissents from or wishes to qualify the views expressed in the text, he signs the despatch and appends a note of dissent or comment. But any dissents written by Members of Council at the India Office, while recorded in the Office, are not annexed to the Secretary of State's despatch, and would not be communicated to the Indian Government unless the Secretary of State saw fit to transmit them confidentially. It will be seen that the system admits of deadlocks. Either partner could prevent the other from spending money: on occasion the Secretary of State has refused sanction for an exceptional payment recommended from India but not falling within the financial regulations, which the majority of his Council was willing to allow; and by the letter of the Statute the Council could not be compelled even by Parliament to authorise expenditure from Indian revenues. The impact between the irresistible force of Parliament and the immovable body of the Council of India seems to be a theoretical possibility.

The Secretary of State was empowered to divide the Council into Committees and regulate the business of each, and all matters which come before the Council (whose proceedings are marked by strict formality, Members rising to make speeches*) have been previously discussed round a table by

* No one but the Secretary of State and the Members has a right to take part in the discussions, but the Under-Secretaries of State attend the meetings, and may be invited to make remarks. The Council can of course require the attendance of any of the Office staff if it desires explanations on technical points.

one or more of the Committees, to which the permanent head of the branch of the Office concerned brings the cases. The Secretary of State is President of the Council, with power to vote, and appoints one of the Members as Vice-President to take the chair in his absence. The chair carries a casting vote. But all proceedings taken in the absence of the Secretary of State require his approval in writing. Only the more important questions, or business of a formal or routine character for which by statute the approval of a majority of Members is necessary, are actually brought up for discussion at a meeting of Council: for minor matters Council sanction has always been obtained by laying the papers in the Council Reading Room for a period which used to be seven; but is now four days, at the end of which, if no Member objects to the action proposed, it is held to be approved. Very many papers on which no action is required are circulated for information.

The strength of the permanent establishment* of the India Office, and the rates of salary, were originally fixed, on the recommendation of the Secretary of State, by Her Majesty's Order in Council, and all additions to the cadre or alteration of the salaries require an Order in Council, which must be laid before Parliament.

* The Company sometimes recruited its writers at a tender age, and it allowed employés who had rendered fifty years' service to retire on a pension equal to full pay. This privilege was enjoyed in the present century by Sir Arthur Guillum Scott, who had joined the East India House at 15, and retired at 65 from the post of Accountant-General at the India Office.

The procedure of the India Office has been described as "intolerably cumbrous and dilatory," but changes made since the Act of 1919 have simplified and accelerated it. It will be recognised that the terms of the Act of 1858 did not make for extreme speed in the conduct of business. If the India Office is slower than other departments to come to a decision, this is very largely due to the necessity of consulting the Government of India (who may in turn have to consult the Provincial Governments) on questions of importance. The Government of India may find it necessary to take immediate action and request *ex post facto* approval on some point that requires the sanction of the Secretary of State in Council. Events will not always wait: the Government of India cannot emulate the station master who telegraphed to his superior "Tiger on station platform; please send instructions." Lord Salisbury once told Lord Lytton, when a sudden change in the Afghan kaleidoscope had been met by prompt orders, that he had no wish to interrupt a billiard player in his actual stroke. The rigidity of the 1858 system was to some extent tempered in practice by a system of "demi-official" correspondence between departmental secretaries at the India Office and the Secretaries to the Government of India. Of course no orders could be given by this means, but much information could be sought or conveyed: thus if, in answer to a question in Parliament, further enquiry into facts had been promised, it would have been absurd to read the terms of the Act about "communications" as requiring the submission to

Council of a formal despatch asking whether floods had subsided or plague broken out in a new locality.

The Secretary of State for India, apart from his Council, has duties similar to those of other Secretaries of State* in such matters in the Indian sphere as submission of petitions to the King, advice as to His Majesty's exercise of the Prerogative of Pardon, the grant of Honours, and recommendations for high appointments. Further, he receives numerous memorials and appeals addressed to himself against the action taken by the authorities in India. To the "Covenants" of the members of the Indian Civil Service and "Agreements" of other civil officers the Secretary of State in Council is one of the parties: these engagements contain clauses empowering the employer to dismiss the officer in such events as disobedience, misconduct, or failure to qualify himself for the performance of his official duties, and the final decision in these cases lies with the Secretary of State in Council. One peculiar consequence of his inheritance from the East India Company is that the Secretary of State in Council is for purposes of suits but not for holding property a body corporate which can sue or be sued, either in England or India. "Every person has the same remedies against the Secretary of State in Council as he might have had against the

* See Sir Edward Troup's "Home Office" in this Series, Chapter III, "The King's Pleasure." The exercise in India of the Prerogative of Pardon has since 1916 been delegated to the Viceroys in the Royal Warrant of Appointment; but this delegation does not and cannot impair the right of the subject in India to petition His Majesty when the Viceroy has not seen fit to grant a pardon.

East India Company if the Government of India Act, 1858, had not been passed."* Thus an official has sued the Secretary of State in Council for wrongful dismissal, and any individual can bring an action against him for the recovery of property or the like, even in certain cases in which, if the matter complained against arose in England, a Petition of Right would not lie.

No business can be brought before the Council of India except by the Secretary of State: on the other hand, he cannot—as we have seen—get certain kinds of business done except with the consent of his Council. While the Council has never been, and in fact could not be, consulted on the answers to be given to questions in Parliament, or statements arising out of the course of a debate, which sometimes have decided future policy, on deliberate decisions of the first importance, such as the change of the Indian capital from Calcutta to Delhi, and the famous announcement made in August 1917 of the advance towards responsible government, the Secretaries of State have naturally ascertained the views of the Council.

The Committees of the Council correspond to, and work in close touch with, the several departments of the Office, but no Member is in charge of any department. This system contrasts with that

* Ilbert, "Government of India," 3rd ed., 1915, p. 196. For a discussion of the difficult questions connected with limitations on the admissibility of suits in consequence of "acts of state," Crown prerogative, and the fact that all public servants in British India (including even Judges of the High Courts) hold office "during pleasure," see pp. 182-184 and 196-202 of that work.

of the Governor-General's Council, for the plain reason that the latter is an executive body whereas the India Office Council is advisory. In 1913 Lord Crewe outlined in the House of Lords a scheme of reorganisation, involving amendment of the Act of 1858, under which each individual Member of Council would have been in much more intimate touch with a particular department, and the Committee system would have been reserved for exceptional cases, but, except for certain functions recently given to Chairmen of Committees, no steps in this direction have been taken.

In 1917 the announcement by the Secretary of State in the House of Commons of the policy "of the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive introduction of responsible government in India as an integral part of the British Empire" was followed by the visit of Mr. Montagu to India, and his and Lord Chelmsford's joint "Report on Indian Constitutional Reforms"* recommended that a committee should at once be appointed in London to consider how far the India Office should be reorganised in harmony with the changes that they proposed in the structure of Indian Government. That Committee met early in 1919 under the Chairmanship of Lord Crewe, and reported in June.† Its recommendations on several points bore fruit in the Government of India Act of 1919, but the Parliamentary Joint Select Committee on the

* Cmd 9109, 1918. † Cmd 207, 1919.

Bill did not endorse the majority proposal that the powers and authority vested in the Secretary of State in Council should be transferred to the Secretary of State, the abolition of the Council of India being followed by the creation of an "Advisory Committee" of from six to twelve members to hold office for five years, at least one-third of whom should be persons domiciled in India, selected by the Secretary of State from a panel submitted by the non-official members of the Indian legislature.

The Act of 1919, therefore, preserved the Council and (while providing for the relaxation, with the consent of Parliament, by the Secretary of State or the Secretary of State in Council, of his "powers of superintendence, direction, and control" over the Indian authorities) does not on the surface appear to make any great change in the organisation of the India Office. It continues the powers of the Council in regard to expenditure,* contracts and certain appointments. But it did not re-enact the provision that all orders and communications (not being "Secret") must be placed before Council, providing instead that the procedure for orders and communications to and correspondence with the Government of India should be such as may be prescribed by order of the Secretary of State in

* But it enables the Secretary of State, with the concurrence of a majority of the Council to make general "provisions or restrictions" with regard to grants or appropriation, and thereafter to sanction expenditure in accordance therewith without a fresh reference to Council. By a rule made under this provision minor powers of financial sanction within strict limits have been delegated to departmental authority.

Council. The Secretary of State in Council proceeded to make general rules which provided for the more prompt disposal of business. Correspondence with India has been accelerated by an arrangement for the exchange of "official" letters between the Secretaries of India Office Departments and Secretaries to the Government of India on matters which could not be treated "demi-officially" and used to require a formal despatch on each side. The exercise of Parliamentary control over the Secretary of State in Council will be discussed later, but two important financial points should be noted here. In the first place, the Secretary of State must always come to Parliament for authority to raise (with the consent of his Council) loans on the security of Indian revenues. Hence comes a series of special Acts authorising borrowing within definite limits and for specific purposes. No mention of this most important obligation will be found either in the Act of 1858 or in that of 1919, but it dates back, strangely enough, to the Act of 1698* (9 and 10 Will. III, c. 44) under which the "New Company" was established and a loan of £2,000,000 made to the Crown, and to the restrictions imposed by Parliament in the late eighteenth and early nineteenth centuries on the borrowing powers of the East India Company.

Secondly, a statement of the revenue and expenditure of British India must be submitted annually to Parliament, and, in order to provide independent scrutiny, the Act of 1858 established, and later

* I owe this reference to a Memorandum by Sir Arthur Godley (now Lord Kilbracken).

legislation has continued, an Auditor of Indian Accounts, who controls his own staff. He is appointed not by the Secretary of State but by Royal Sign Manual, countersigned by the Chancellor of the Exchequer, and he holds office not, like the staff of the India Office, "during pleasure," but during good behaviour. He can call upon the Secretary of State to produce any papers, can examine any officer of Government in the United Kingdom in relation to the Indian accounts, and must present an annual report, in which he is free to express disapproval of any irregularity or offer any comments. His report is laid before Parliament. The India Audit Office is housed in the India Office.

Students of Indian affairs may be slightly surprised at finding that the authority for the constitutional system of India is now a dateless "Government of India Act," and a word of explanation may be of service. The Act of 1858 to a great extent preserved previous legislation, and was itself followed by a series of Acts of Parliament of varying importance. When by Royal Proclamation in 1911 the capital of India was transferred from Calcutta to Delhi, and the intention announced of redistributing the territories of two provinces and establishing a Governor in Council in Bengal, the complexity of Indian legislation was revealed in an almost poignant form to the Ministers responsible for preparing measures to implement the policy. Certain steps could be and were taken by Notification by the Governor-General in Council or formal declaration by the Secretary of State in Council, others required legislation in India, but Parliamentary legislation was

necessary to grant powers to the new Governor in Council of Bengal, and to enact some other incidental features of the new scheme.* It was necessary to examine closely how far existing Parliamentary Statutes or Acts of the Indian Legislature must be repealed, and to determine where exactly power could be found or whence new power must be sought to carry out each detail of the changes. Mr. Montagu, then Parliamentary Under-Secretary, pleaded for the construction of a clear path through the tangled jungle of enactments, and the necessary impetus was given to the project, discussed for some forty years, of preparing a consolidating Act. The resultant measure of 1915 (5 and 6 Geo. V c. 61) was largely based on the "Digest of Statutory Enactments" published by Sir Courtenay Ilbert in his "Government of India." It dealt with no less than forty-seven earlier Acts. But, as every draftsman knows, it is very difficult to consolidate without amending, and a Parliamentary Joint Committee relegated to a second Bill (passed as 6 and 7 Geo. V c. 37) the modification of various minor points. Thus the long-discussed concise epitome of Parliamentary legislature in India was itself incomplete, for it was amended almost as soon as enacted. But a more fundamental shock soon struck the fabric reared with so much toil; the whole constitution of India was thrown into the melting-pot by the Reform Scheme and the consequent Act of 1919. However, it was decided not to let the jungle in again upon the cleared ground, and the Acts of 1915 and 1916 (so far as their provisions were not

* See Ilbert, "The Government of India," 1922, pp. 117-118.

repealed) and 1919 were consolidated into a measure entitled "The Government of India Act."*

There have been twenty-one Secretaries of State for India—eleven Conservative, nine Liberal, and one Labour. The post has been held by so many men in the very front rank of British politics, that it is somewhat surprising that only one of them, the late Lord Salisbury, has up to the present become Prime Minister. The longest single term was that of Lord George Hamilton (1895-1903), but the late Lord Kimberley held the seals three times. The office has been eleven times held by a peer and twelve times by a Member of the Commons (the apparent discrepancy in these statistics is due to the fact that two Secretaries of State, Lord Salisbury and Lord Morley, held the post in both Houses). By statute not more than four Secretaries of State and four Parliamentary Under-Secretaries can sit in the Commons at the same time, and it has been usual for the India Office to be represented in both Houses. But the practice has not been invariable; Lord George Hamilton and Mr. Morley each had a lieutenant in the Commons. The post of Parliamentary Under-Secretary for India has often been the first step in Ministerial office, to which fact is probably due the large number of its incumbents, thirty-seven up to the present. Only four of these, Lord Ripon, Lord Kimberley, Lord George Hamilton, and Mr. Montagu, have subsequently become Secretary of State for India, but their roll includes four future Viceroys of India, Lords Ripon, Dufferin,

* The Act has already been amended, on minor points, by Statutes of 1924 and 1925.

Lansdowne, and Curzon, and several Governors of Indian Presidencies. There is generally understood to be an unwritten rule debarring a Secretary of State for India from becoming Viceroy, or a Viceroy from becoming Secretary of State. The first of these canons has not been invariably observed; Lord Ripon, Secretary of State in 1866, became Viceroy in 1880, and it seems not impossible that others may have had the option of going to India. But no ex-Viceroy has ever come to the India Office—indeed, only six of the fourteen* predecessors of Lord Reading since 1858 have held Cabinet office after leaving India. A notable appointment to the Parliamentary Under-Secretaryship was made in 1919 in the person of Sir Satyendra Sinha, raised to the House of Lords as Lord Sinha of Raipur. He has been the first Indian Member of the Governor-General's Council (1909), the first Indian peer, the first Indian member of a British Ministry, and the first Indian Governor of a Province. Some eighteen months before Sir S. Sinha's appointment to the Viceroy's Council, Lord Morley had brought two Indian Members to Whitehall, Saiyid Husain Bilgrami, a Mohammedan who had held office in Hyderabad State, and Mr. (afterwards Sir) Krishna Gupta, a Bengali just retired from the Indian Civil Service, the first Indian member of that Service to have filled the post of a Commissioner of Division. This new departure needed no legislation. Since 1907 Indian Members have always held seats in the Council of India, the number at present being three. Of the twelve Indian Members six have

* This number does not include officiating Governors-General.

been Hindus (two of these Brahmins), four Muhammadans, one a Sikh, and one a Parsi, and most of the great Indian Provinces, with the exception of Burma, have been represented. Most of these had already taken a prominent part in Indian public life, either as members of Legislative Councils or as office-holders in Indian States. Three had belonged to the regular official services (one to the Covenanted Indian Civil Service, two to the "Statutory" Civil Service), and two were retired Judges of High Courts. Of the ninety-five British Members of the Council the majority have come from the Indian Civil Service, but the Army has always been represented, and it has been usual to reinforce the financial and commercial knowledge of the Council by appointing non-official experts in Indian commerce and in English banking or business, these financial representatives being the only Members who retain connection with outside occupations. To secure first-rate experts in questions of banking, currency, and Indian commerce, in close touch with actual conditions, it is obviously necessary not to limit the selection to men who, in Disraeli's phrase, "had retired from business or from whom business had retired." The Council has from time to time included eminent lawyers who had been High Court Judges in India, while non-officials appointed from England to the Governor-General's Executive Council (notably Sir Henry Maine and Sir Thomas Raleigh) have subsequently joined the Council of India. Two Members (Sir Louis Mallet in 1874 and Sir William Duke in 1920) left the Council to become Permanent Under-Secretary of State and

one (Sir John Lawrence in 1863) to take up the Viceroyalty; one former Permanent Under-Secretary was appointed to the Council (Sir George Clerk in 1863). Without invidious discrimination it may be mentioned that the Members have included such distinguished soldiers as Lord Wolseley, Sir Henry Norman and Sir Donald Stewart, while amongst those best known to the world for achievements, practical or literary, outside the sphere of Indian administration, are Sir Henry Rawlinson, Sir Bartle Frere, Sir Henry Maine, Sir William Muir, and Sir Alfred Lyall.

Chapter IV

THE GOVERNMENT OF INDIA

A BOOK of this character will, it may be hoped, be acquitted of any pretensions to supplying a constitutional history of India if it includes some description of the growth and the present nature of the system with which the Secretary of State has to deal, any modification of which requires his approval, and the authorities with whom he corresponds. The work of the India Office cannot be understood unless some account is offered of the structure not only of the Supreme Government of India, but of the Provincial or Local Governments to whom most of the detailed administration is committed and under whom most Government officials serve.

The Provincial system was drastically altered by the Act of 1919, but the Executive Government of India to-day is in essence of the same nature as the first Secretary of State found it in 1858, and the model was established by the Regulating Act of 1773. The somewhat vague authority over Madras and Bombay then given to the Governor-General was progressively enhanced by later statutes, and Lord Cornwallis in 1786 obtained that power of overruling his Council which, in its present form, enables the Governor-General* on his own authority,

* The Governor-General is the King's Viceroy, having been so

to adopt, suspend, or reject, any measure (i.e. executive measure) whereby, in his judgment, "the safety, tranquillity or interests of British India, or of any part thereof," may be affected.

Warren Hastings was given an Executive Council of four Members, three of whom were sent out from England, but that experiment was not a success, and the Act of 1793 prescribed that three Members should be "senior merchants who had resided ten years in India in the Company's service." This is the origin of the "service qualification" still prescribed for three Members of the Supreme Executive Council, and for one in each Presidency or Provincial Executive Council. From the same Act date the provision, abrogated in 1919, that the Commander-in-Chief, if appointed to the Council (as he always is) should sit as an "Extra-ordinary Member," though he ranks next to the Governor-General and is styled "His Excellency," and also the power of over-ruling the majority of the Council in exceptional circumstances entrusted to a Presidency or Provincial Governor.

In 1834 the Governor-General of Bengal became Governor-General of India, and received an access

termed in Queen Victoria's Proclamation of 1858, and occupying a position the character of which is not exhaustively defined by the statutory powers of the Governor-General. But the term does not occur in any Act of Parliament. If he leaves India temporarily during his term of office, his *locum tenens*, while only an acting Governor-General, becomes the Viceroy, because the King must always be fully represented in his Indian Empire. The five years' term of office of the Governor-General, the Governors, and the Members of Executive Councils, is prescribed merely by custom, not by statute.

to his Council in the shape of a fourth Member, who was originally added merely for the purpose of making laws and regulations but was given in 1853 the same executive responsibility as his colleagues. One Member of the Supreme Council must still be a barrister of England or Ireland or an Advocate of Scotland (or, since 1919, a pleader of the Indian High Court) of at least ten—it was originally five—years' standing.

In 1861 power was taken to appoint a fifth ordinary member and in 1874 a sixth (at first specifically for Public Works). Since 1919 the number is such as His Majesty shall see fit to appoint; in 1869 the Crown resumed the right of nomination which had in 1858 been vested in the Secretary of State in Council. Lord Canning committed the several departments to individual Members, and instituted the practice, henceforth followed by all Viceroys, of retaining in his own hands Foreign and Political (i.e. Indian States) affairs. The occasional appointment of Finance Members from England (whence the Legal Member usually came) began just after the Mutiny when Mr. James Wilson was chosen to deal with the shaken finances, and marked his advent by introducing an income-tax. The Executive Council was long essentially a body of Indian civilians (except for the "ordinary" Military Member, a soldier, who until Lord Kitchener's time, was in charge of the Military Secretariat) reinforced by legal and sometimes by financial experts from outside the Service. But the introduction of one Indian Member in 1909, of a second in 1919, and of a third in 1920, has altered the

balance. Twenty years ago the Supreme Government (apart from the Viceroy and the Commander-in-Chief) consisted of six Englishmen, four Indian civilians, a military officer and a barrister; to-day it is composed of three Englishmen (two Indian civilians, and one Home Civil Servant*) and three Indians, one of whom possesses the legal, and one, though not a member of the Indian Civil Service, the "service" qualification. An important feature in the working of the Government of India is that the Secretary of each department, though of course subordinate to the Member, has the right of direct access to the Viceroy.

It is unnecessary in these pages to dwell on the structure of the Provincial executives, but the fact that Madras and Bombay have always enjoyed, and Bengal† when it was re-created in 1912 into a Presidency under a Governor in Council obtained, the right of direct correspondence with the Secretary of State, is of some importance in connection with the India Office. That right had not always

* Since 1908 four Home Civil Servants have been appointed to the Governor-General's Council; two Board of Trade officials in succession held the Commerce and Industry portfolio, while the War Office and the Treasury have each supplied a Finance Member.

† "Bengal" is as elusive a term in Anglo-Indian official nomenclature as Burgundy was in mediæval history. The old Presidency of 1773 consisted of Bengal proper, Bihar, and Orissa, but as British rule expanded in Northern India it came nominally to include all British territory from Rangoon to Peshawar. But in this sense it was never really an administrative unit. The Lieutenant-Governor's Province of Bengal included Bihar and Orissa from 1854 to 1912, but between 1905 and 1912 had lost the eastern districts of Bengal proper. The new Presidency of Bengal created in 1912 is far smaller than the old Lieutenant-Governor's Province; it has recovered Eastern Bengal but lost Bihar and Orissa.

been viewed with benevolent eyes by the Government of India, but restrictive rules and the modern standardisation of Indian administration, following on the amalgamation of the once separate Presidency Civil Services and Presidency Armies, prevent the danger of cross-purposes in the official correspondence. No other Provincial Government can correspond direct with the Secretary of State.

Provincial Governments in the past fall into three classes, administered respectively by Governors in Council, Lieutenant-Governors and Chief Commissioners. Little more need here be said about the Presidencies, whose constitutional structure followed that of the Supreme Government and whose Governors have generally been men drawn from public life in the United Kingdom. Lieutenant-Governors were invented when the Government of India recognised the impossibility of conducting the detailed administration of provinces while supervising the affairs of all British India and conducting relations with the Indian States and with India's independent neighbours. Thus the Lieutenant-Governor of the North-Western (now the United) Provinces dated from 1836, that of Bengal from 1854. The Punjab followed in 1859, Burma in 1897, the short-lived province of Eastern Bengal and Assam in 1905, and Bihar and Orissa in 1912. The essence of the Lieutenant-Governor system was personal administration by an official who knew the language and the people, and the creation of Executive Councils for two provinces (Bengal in 1909 and Bihar and Orissa in 1912), was due as much to the desire to give Indians the same

share in the higher Government as was being opened to them in Madras and Bombay as to any need on purely administrative grounds to put the local government into commission.

Chief Commissioners were appointed for newly annexed territories which it was thought necessary to retain more closely under control than the older and more developed provinces committed to Lieutenant-Governors. Constitutionally a Chief Commissioner's province is under the direct administration of the Government of India. The Punjab and Burma (as well as Oudh) passed through this stage. These non-regulation provinces, so termed as being outside the scope of the "Regulations" or laws enacted for the older provinces, drew upon military officers as well as civilians for their superior administrative service, known as "the Commission." The Central Provinces and Assam remained under Chief Commissioners until 1921, when under the Act of 1919, their heads were, with three Lieutenant-Governors, raised to the status of Governors and provided with Executive Councils. (This change was not made in Burma until 1923.) Thus there are now in India nine Governors in Council. The older system survives in frontier regions, in the enclave round the capital, and in certain small isolated patches of British territory.* It is worth noting that since the Crown assumed the Government of India the only fresh annexations have been Upper Burma with the Shan States, and part of Baluchistan, though

* The North-West Frontier Province, Delhi, British Baluchistan, Ajmer-Merwara, Coorg, and the Andamans and Nicobars, are still administered by Chief Commissioners.

political influence has been further extended on the North-West Frontier and some wild tracts on the Assam and Burma borders, nominally within the frontier line, have been actually brought under administration.

Legislation* until 1853 was entirely in the hands of the Executive Governments, though for the last twenty years of that period the Governor-General in Council was aided in making laws by a specially appointed legal expert. The appointment of this Legal Member in 1833 was accompanied by the withdrawal from the Madras and Bombay Governments—until 1861—of the powers of local legislation which they had obtained in 1807. It was in 1853 that an Indian legislature was established, but the method adopted was to appoint six "Additional Members" to the Council for the purpose of making laws. These were all Crown servants, two being Judges and four officials selected from the provincial administration, but, encouraged perhaps by the admission of the public to their sessions, they

* Queen Elizabeth's Charter enabled the Company to make "laws" and "ordinances" for its servants, but these, as Sir C. Ilbert has pointed out, were really of the nature of by-laws. The first delegation to authorities in India of the power of real legislation was made by the Act of 1773, which empowered the Governor-General in Council to make "rules, ordinances and regulations"; provided that these were not "repugnant" to the laws of the Realm. They were to be registered with the newly established Supreme Court of Calcutta, a process somewhat repugnant to the Executive Government, which gradually obtained wider powers. But it was not until 1833 that laws made in India became "Acts of the Governor-General in Council." A few of the older "Regulations" are still in force, notably the State Prisoners Regulations of Bengal, Madras and Bombay.

proceeded to inaugurate a reproduction in miniature of Parliamentary life. They asked questions and insisted on discussing executive policy.* One of the first measures of the Crown Government was to remodel the Indian legislature; by the Indian Councils Act of 1861 it was enlarged, but the Judges were sent back to their Benches, and the Additional Members were forbidden to transact any business not strictly relevant to proposed legislature. The Act is a landmark in Indian constitutional history.† It gave non-officials a voice in making laws, and it fixed for the next sixty years the actual scope of Indian legislation, though by subsequent Statutes the size of the Legislative Council was progressively enlarged and it was given deliberative and critical functions. Saving the general authority of Parliament, the sovereignty of the Crown, and the allegiance of the subject, the Indian legislature now obtained very wide powers, even including, with certain exceptions, the amendment of Acts of Parliament, though it required the permission of the Governor-General for the introduction of measures affecting the public revenues, religion, or foreign or military affairs. The Act also, while restoring powers of local legislation to Madras and Bombay, established a legislative Council under

* See correspondence between Sir Charles Wood, the Secretary of State, and Sir Bartle Frere, then Member of the Executive Council, printed in Martineau's "Sir Bartle Frere," Vol. I, pp. 331-342.

† A full account of this important Act is given in Sir C. Ilbert's "Government of India," 3rd ed., 1915, pp. 100-103. The maximum of Additional Members was raised to twelve, and it was provided that half must (while more might) be non-officials

the Lieutenant-Governor of Bengal, and enabled similar councils to be created in any Lieutenant-Governor's province.* Provincial Acts could be disallowed by the Governor or Lieutenant-Governor, and required the further approval of the Governor-General (not the Governor-General in Council) and the Secretary of State in Council on behalf of the Crown. Indian Acts could be disallowed by the Governor-General, but if he assented, required the approval of the Crown.† Thus all Indian laws come before the Secretary of State in Council, who, if he sees no reason to advise disallowance, informs the Government of India that the Act will be left to its operation. Under the Act of 1919 the Governor-General (and a Governor of a Province) may "reserve" a Bill for consideration by higher authority instead of himself assenting or disallowing.

The Act of 1861 empowered the Governor-General, on his sole authority, to enact Ordinances, valid for six months only, for the peace and good government of British India or any part thereof, subject to disallowance by the Crown. This power of emergency legislation in exceptional circumstances survives. It was used by Lord Hardinge in 1914 to

* The North-Western (now United) Provinces were given a legislative council in 1886, the Punjab and Burma in 1897, Eastern Bengal and Assam in 1905, and Bihar and Orissa in 1912. The Act of 1912 enabled legislative councils to be created in provinces under Chief Commissioners, a measure adopted in Assam and the Central Provinces. Until a province obtained a legislative council, all laws affecting it, however local and limited their application, had to be made by the Governor-General's Legislative Council.

† Under the Act of 1833 the Directors of the Company could disallow laws made by the Governor-General in Council.

enact a Defence of India Ordinance on the lines of the United Kingdom Defence of the Realm Act, a step endorsed by the Indian Legislative Council, which at its next session converted the temporary measure into the Defence of India Act, 1915. Those provisions of the Act of 1870 which enable the Governor-General in Council to legislate specially for backward tracts should be mentioned here, because the Secretary of State in Council is a party to the process, but no important alteration in the legislative system was made until 1892.

A notable result of the Act of 1861 was the first appearance of non-official Indian members in all the legislatures, three—one a Ruling Prince—being nominated to the Governor-General's Council and four in Bombay. In 1892 the participation of non-official Indians in the legislature was greatly extended, and they were for the first time given a voice in the discussion of financial and administrative affairs. In fact, though not in name, the election of members to the Legislative Councils was then introduced, and the Councils were enabled to discuss (though not to vote upon) the annual budgets, and to ask questions on matters not connected with legislation. In strict law the Governor-General (or the Governor or Lieutenant-Governor) continued to nominate Additional Members, but the number of these was raised to sixteen (in Madras, Bombay and Bengal, twenty), half of whom must be non-officials, and the non-officials who were nominated had been "recommended" for nomination by what were in fact constituencies, though constituencies of a limited

character.* Official control, it is true, was not relaxed, but Bills were now discussed by Indian members who sat as representatives owing their seats to the votes of their fellow-countrymen, and matters of general policy came under their scrutiny.

So matters rested until the Morley-Minto Reforms attempted to meet the growing political aspirations of India by introducing (as already set out) Indians into the Executive Councils, by greatly enlarging the numbers and the powers of Indian legislatures, and by avowedly establishing the principle of election, though, for the most part, indirect election. As the authors of the Montagu-Chelmsford Report put it:† "The Morley-Minto changes . . . admitted the need for increased representation, while reiterating the impossibility of basing it generally on a direct or general franchise. They admitted the desirability of generally securing non-official approbation to the Government legislation, though they trusted in an emergency to the support of the nominated members, to the division of interests between different classes of elected members, and in the last resort to overriding legislation in the Indian legislative Council, where an official majority was retained. Frankly abandoning the old conception of the councils as a mere legislative committee of the Government, they did much to make them serve the purpose of an inquest into the doings of Government by conceding the very important

* Chapter III of the "Montagu-Chelmsford Report" (Cmd. 9109 of 1918) gives the best account of the "Growth of the Legislative Councils."

† *Op. cit.*, p. 67.

rights of discussing administrative matters and of cross-examining Government on its replies to questions." The proposed changes were very carefully discussed by committees in India and at the India Office before 1909. In deference to the apprehensions of Muhammadans, the much debated principle of "communal representation" was now introduced. The Muhammadans, while numbering some seventy millions, do not form the majority of the population in any large area except the Punjab and the eastern districts of Bengal, and they contended that they could not be properly represented except by members of their own community returned by the votes of co-religionists only. The principle, once accepted, has been extended to other minorities, such as Sikhs in the Punjab and Indian Christians in Madras.

The Morley-Minto constitution has received so much criticism that it is only fair to point out how largely it transformed the system of Indian Government.* Because the plan adopted in 1919 was framed on new lines, there is danger of forgetting the real character of the constitution of 1909, which Mr. Gokhale described as giving Indians "responsible association with the Government." The consent of the Council was not required for expenditure, and the old powers of veto were retained. But members were given the right of moving resolutions on the budget, and thus though "supply" could not be refused, financial demands could be debated. It was made impossible to carry in any Provincial Council a Bill which non-official members unanimously

* The whole scheme is set out in Appendix I to the 3rd edition of Sir C. Ilbert's "Government of India," 1915.

opposed, and it would have been, in practice, difficult and invidious to impose on any province a measure of purely local application by using the official majority in the Imperial Council to pass an overriding Act.

By 1917 the political equilibrium of India had been altered by the two unexpected decisions announced without warning at the Coronation Durbar in 1911: the transfer of the capital of India from Calcutta to Delhi, and the undoing of Lord Curzon's partition of Bengal. The outbreak of war in 1914 produced a general wave of loyalty throughout India, but, for various reasons which cannot be discussed here, the Indian political atmosphere soon became clouded. The scheme set forth in the Report of Mr. Montagu and Lord Chelmsford was accepted in principle by the Government of India and the Council in London, but certain of its leading features were trenchantly criticised by some of the Provincial Governments, and others were denounced in Indian political circles. The Bill to implement the Report was, on some important points, re-modelled by a Joint Parliamentary Committee, but its essential features were preserved in the Government of India Act, 1919, and the new constitution came into being in 1921 for a country whose political spokesmen were still angrily discussing the suppression of the Punjab disturbance of two years before, whose Muhammadan population was sore and suspicious over British policy towards Turkey, and whose "dumb masses" were dangerously swayed by a leader of remarkable character, who founded on a combination of quietism, home-made cotton cloth, and passive disobedience to the law, a gospel of personal

righteousness and political independence. The omens were not altogether propitious when H.R.H. the Duke of Connaught opened the new legislature in 1921.

The literature of the Montagu-Chelmsford Reforms is too copious to need any supplement here, but a description of the work of the India Office entails a short explanation of the system that they established in India. The most drastic changes occurred in the Provinces, where, and where alone, what is called "Dyarchy" exists.

Certain functions of government in the Provinces, known as "Transferred subjects," are placed under the control of the local legislatures, and are administered by Ministers whom the Governor chooses from among their Members. The remaining, or "Reserved" functions, the Governor with the Members of his Executive Council continues to administer, subject to the control of the Government of India. The list of Transferred subjects may be enlarged, and if the machinery of Government with Ministers breaks down, the Governor in Council can resume charge of Transferred subjects, as has happened in Bengal and the Central Provinces, where the local legislatures refused to vote the Ministers' salaries. The nature of the distribution of functions can be seen from the fact that the Governor in Council reserves the maintenance of law and order and the land revenue system, while education, sanitation, and the management of public works (other than railways and irrigation) have been transferred to Ministers. The two sides of the Government consult on more important matters of policy (the degree of approach to a single Cabinet

has varied greatly in different provinces), and the provincial finances are held in a "joint purse." The Ministers have no constitutional responsibility for and are not required to assent to or to defend the action of the Reserved side of the Government.

The legislative councils have been greatly enlarged—to a number of over 100 in the larger provinces—and officials, though necessarily retained to be spokesmen of Government policy, are confined to one-fifth of the total number of seats. A few non-officials are still nominated to represent classes or interests, or minorities for which no electoral arrangements have been devised. The great majority of the elected members are returned by direct election from territorial constituencies, urban or rural, under a somewhat high franchise.* Some of the constituencies are "communal," but the majority general in composition.

The councils have very wide powers of legislation and the annual provincial budgets are submitted to them. In Transferred subjects they possess the power of the purse, but the Governor may restore grants for purposes of the Reserved side of the administration if he considers it essential to the discharge of his responsibility that money refused by the Council should be provided. He can disallow an Act or reserve it for the Governor-General's consideration, and has the exceptional right to enact on his own authority a measure (provided that it deals with a Reserved subject only) the passage of which he certifies to be essential to the discharge

* Of the 247 millions of British India, about 7½ millions possess the electoral franchise.

of his responsibility. This special power has hitherto been exercised only once, in Bengal.

The Reserved side of the Provincial Government is partly, and the Transferred side entirely, in Indian hands, for Indians sit not only as Ministers chosen by the Governor from the elected members of the legislature, but as Members of the Executive Council. The lines between (Indian) Imperial and Provincial finance, and between Imperial and Provincial functions* have been strictly defined.

"Dyarchy" has not been introduced into the Supreme Government, but in place of a Legislative Council with an official majority whose elected members could criticise but not control expenditure, and could not prevent the passage of any Act, there is now a large bicameral legislature predominantly elective. The present Legislative Assembly of 143 members contains only 25 officials—including Members of the Executive Council—as against 14 nominated non-officials and 104 elected members. The constituencies are of the same character as those for Provincial legislatures, but the franchise is higher. The second Chamber, the Council of State, is composed of sixteen official and ten nominated as against thirty-three elected members, who are returned by direct election on a more restricted franchise.

The Indian legislature, subject to the preservation of the powers of Parliament, has power to make laws "for all persons, for all courts, and for all places and things, within British India," for British officials and subjects in Indian States, for "native Indian

* Thus the Provinces have no control over the Army, Railways, Customs and all other "All India" matters.

subjects of His Majesty" beyond British India, and for officers, soldiers and followers of the Indian Army wherever serving. But it requires the sanction of the Governor-General for the introduction of measures affecting the public debt or revenues, religion, military discipline and foreign relations, or for measures treating on matters relegated to provincial governments. The Governor-General may assent, or withhold assent, to any Act, or reserve it for His Majesty's Pleasure, and the Crown may disallow any Act. Of course the power of veto, important as it is, gives only a very limited control over the process of legislation, and the elimination of an official majority made it necessary to consider fresh means of ensuring that, so long as the supreme authority was expressly vested in the Secretary of State in Council as responsible to Imperial Parliament for the security of India, legislation considered absolutely necessary should continue to be possible. After prolonged discussion in 1918, this heavy responsibility was placed on the shoulders of the Governor-General, acting in his personal capacity. If he certifies that the passage of a bill "is essential for the safety, tranquillity, or interests of British India or any part thereof," he can pass the Bill into law with consent of only one Chamber, or, in the last resort, without the consent of either. But any such Act requires Parliamentary approval (except that in case of emergency the Governor-General may put the Act into force at once subject to disallowance by His Majesty in Council). The Governor-General retains his old emergency power of passing Ordinances of temporary duration, and

the Indian legislature may not repeal, or amend, any Act or Ordinance which he has made under his special powers. The Legislative Assembly in the first five years of its life has on four occasions refused to pass an "essential" Act, but in each case the Council of State has enacted it when the Governor-General gave the necessary certificate.

The power of the purse has been very largely entrusted to the Legislative Assembly, as will be explained in a later chapter. The annual budget is laid before both Chambers, and the consent of the Legislative Assembly is sought for the grants required in most matters, though certain heads of expenditure are classed as "non-votable."

The Parliamentary Joint Committee of 1918* declared definitely that the powers of restoration of grants for essential needs conferred on the Governor-General and Governors were meant to be used as part of the ordinary constitution. It is to Parliament that the Government of India and the Reserved sides of the Provincial Governments are responsible, and the Act intends that they shall be provided with funds necessary to discharge their responsibilities.

The constitution that came into force in 1921 must be examined by a Statutory Royal Commission "at the expiration of ten years after the passing of the Government of India Act 1919" which shall report "whether and to what extent it is desirable to establish the principle of responsible government, or to extend, modify, or restrict the degree of responsible government then existing in

* See p. 57. Since the passing of the Act of 1919 a Parliamentary Joint Committee on Indian affairs has been appointed in each Session.

British India." A committee appointed by the on Government of India in 1924 has recently reported the actual working of "Dyarchy" in the Provinces.

It will be recognised that the Government of British India presents features markedly dissimilar from those familiar here. Powers of concurrent legislation are to some extent possessed by three bodies—Imperial Parliament, the Indian legislature, and the Provincial Legislative Councils. The constitution is largely a written constitution, but cannot be classed as such, for some powers of the Governor-General are based on the Royal prerogative, and even within the four corners of the Government of India Act some room has been left for the growth of constitutional convention. Lastly, while in some points resembling federal constitutions the system of British India is not a federal one. There has been an increase of provincial autonomy, but the powers of the provincial governments are created by delegation from the central authority, which has not divested itself of control.

An Act of 1924 now makes it possible for the Governor-General, the Commander-in-Chief, and Governors, to come home on leave, and for Members of Executive Councils to do so without a medical certificate. Previously the highest officers of the Crown in India had, like their predecessors in the Company's service, vacated their offices if they left India with the intention of returning to Europe. A special Act had been needed to allow H.R.H. the Duke of Connaught, when Commander-in Chief in Bombay, to attend the London Jubilee celebration in 1887.

Chapter V

THE IMPERIAL GOVERNMENT AND INDIA

Parliamentary Control

Any description of the system which treats primarily of Whitehall runs the risk of seeming to exhibit Indian affairs in a false perspective, for it is in India itself that the measures which most directly affect the life and welfare of the Indian peoples are taken. The British Government has usually shown sufficient practical wisdom to leave to its representatives in India the detailed management of affairs, and has kept in view two main objects, that the officials chosen to exercise authority should be capable and honest, and that the broad principles of Indian administration should conform to the standards accepted by the political conscience of this country. Educated Indian opinion, formerly inclined to look to Westminster as exercising on the whole a salutary control over the British authorities on the spot, is noticeably and naturally changing its point of view as Indians themselves acquire a progressively greater influence in the management of their affairs, and realise that, as is explicitly laid down in the preamble of the Act of 1919, the Imperial Parliament has reserved to itself the right to decide upon future constitutional developments.

The omnipotence of Parliament, indeed, was not specially emphasised in the terms of the Act of

1858, or in the provisions of earlier statutes left in force. But beyond and above the specific provisions lay the complete powers of superintendence, direction, and control vested in the Secretary of State over all acts, operations or concerns in anywise relating to the Government and revenues of India, and the unwritten facts that he can be called to account by Parliament for the exercise of his powers and holds office only so long as he commands Parliamentary confidence.* Further, Parliamentary legislation is necessary for many, though now by no means all, alterations in the law relating to India.

The Secretary of State is by law required to lay before both Houses annually a statement of the position of Indian finances, and this provision of the Act of 1858 created the annual Indian "budget debate." It was not really a budget debate, for, technically, Parliament was not asked to approve proposed expenditure, but merely informed of the accounts of the last completed year and the revised estimates of the next year. Before the discussion the Secretary of State presented an "Explanatory Memorandum." But any question affecting India could be debated on the motion that the House go into Committee to consider the Indian financial

* The need of the codification effected in 1915 is illustrated by the fact that it was necessary to read the Act of 1858 with that of 1833 in order to see what the powers of the Secretary of State really were. The present consolidated Government of India Act embodies the phrase given in the text, but with the all-important proviso "subject to the provisions of this Act or rules made thereunder," while section 19a empowers him, with the consent of Parliament, to "regulate and restrict" his powers of superintendence, direction and control.

statement, so that this annual debate secured a periodical Parliamentary review of Indian affairs. Numerous amendments were as a rule put down, but in practice only one was discussed and brought to a division. On going into Committee the House of Commons resolved that the revenues of India amounted to such and such a figure, and the expenditure to such another figure. Thus a correct arithmetical result was reached by a somewhat circuitous process. Since 1919 the discussion on the Secretary of State's salary has replaced the budget debate. Of course, apart from the annual discussion and debates on actual Indian Bills, either House can at any time if it wishes discuss Indian affairs. Such debates have been more frequent in the House of Lords, which usually contains more members with personal knowledge of India, and in which a question to a Minister may be put in an explanatory speech and may give rise to a long discussion. But the variety and scope of Parliamentary questions about India keep the India Office busy during session, and add appreciably to the revenues of the cable companies and the expenditure of India, since they constantly necessitate telegraphic consultation with the Government of India. To give an example of the miscellaneous information required from the Parliamentary spokesmen of the India Office, the questions put in one day recently included enquiries about child mortality, the Indianisation of the army, proposed railway extensions, the facts as to a recent riot in India, the treatment of prisoners in jails, the salaries of certain officials and the qualifications of others, the growth of an Indian

mercantile marine, the intentions of Government as to forthcoming legislation, and the export of live monkeys. This was at a time when nothing unusual was happening; when things are moving in India Parliamentary interest is naturally stimulated.* The development of Parliamentary institutions in India must have an effect on the nature of the questions asked at Westminster. Thus the Speaker remarked, on June 15th, 1925: "I have observed a tendency to put in this House questions which have already been put in the National or one of the Provincial Assemblies in India. I would ask Honble. Members to remember that we have delegated certain questions in India, and to use their discretion in accordance with the general rule." But so long as the Secretary of State is responsible to Parliament for the general conduct of Indian affairs, the information which he is called upon to furnish must cover a very wide range of subjects.

The proposal to place upon the British estimates the salary of the Secretary of State for India had been bruited for many years before it was adopted

* Lord George Hamilton has permitted himself a comment which in a civil servant would be rank blasphemy. It is therefore cited here merely to show the view taken by a Secretary of State with long experience, to whom it fell to introduce the Indian budget no less than thirteen times. "The moment a crisis occurs, then the department affected, which for the time being is working at the very highest tension, is bombarded with questions, interpellations, and demands for returns which not infrequently absorb many hours of attention from the very officials who are best qualified to deal with the emergent subject. The amount of time wasted and the disorganisation caused by this incessant torrent of interrogation is well known to all experienced Parliamentarians." ("Parliamentary Reminiscences, 1886-1906," p. 259.)

in 1919. Opposition was based on the idea that its acceptance would be prejudicial to India by bringing Indian affairs into the range of controversial party questions at home. It is somewhat remarkable that for half a century before 1833 India was, if not a pawn in the political game, at any rate a topic of violent party controversy in England, and that since 1858 it has on the whole not been so. Government policy in India has often been criticised by the Opposition of the day, but the most important changes in the Indian constitution have been accepted by general consent in Parliament, and strong criticism of Secretaries of State has come as often from within their own parties as from the organised action of their political opponents. The constitutional reform policy of 1919 was endorsed by all three parties here, and the need of adequate provision for the Indian Services was explicitly accepted by spokesmen of Conservatism, Liberalism, and Labour. It is interesting to note that the three Indians who have, up to now, been elected to the British House of Commons, all of them Parsis, have been divided between the three political parties. Only on two occasions in the last half-century has an Indian question figured prominently in strictly party controversy here, and on each occasion it was one of frontier policy. The Liberals on coming into office in 1880, having strongly opposed the Afghan policy of their predecessors, decided to evacuate Kandahar, while in 1895 the new Conservative Ministry maintained the garrison in Chitral which it is known that Lord Rosebery's Government, had it continued in office, would have withdrawn.

In one vital matter, that of fairness towards India in apportioning financial charges, Parliament has consistently shown a generous spirit. It is often very arguable whether, or in what proportion, Indian revenues should share the cost of Imperial policy. The British departments, acting as trustees for the United Kingdom taxpayers, are bound to put the case for their clients, while the Secretary of State in Council is the custodian of Indian interests. Lord Ripon, that life-long admirer and supporter of Mr. Gladstone, wrote privately from India to Lord Kimberley in 1884: "The question of what expenditure ought to be thrown upon Indian revenues is the only subject on which Gladstone is quite deaf to the voice of justice!"* Lord George Hamilton has recorded that the House of Commons has on occasion objected to expenditure being thrown on India which the Secretary of State in Council had accepted as equitable.†

* Lucien Wolf, "Ripon," Vol. II, p. 56. Mr. Gladstone, whose general sympathy with India was unquestionable—it appears, for example, in his cordial support in the House for the extension of the Legislative Councils in 1892—took a very rigid view about financial claims on the British Treasury. Though he had, when in opposition in 1878, protested that India ought not to be forced to pay for the Afghan War, when as Prime Minister he had to adjust the incidence of its cost he allowed British revenues to make a contribution towards it of £5,000,000, which, great as it was, amounted only to about one-quarter of the total cost. In 1882, when India sent a military contingent to Egypt, the final decision that she should pay £500,000 (about one-seventh of the cost of the Egyptian expedition) was reached after considerable official correspondence and Parliamentary discussion, for Mr. Gladstone's Government had been inclined to ask for a larger contribution. See Holland, "Duke of Devonshire," Vol. I, pp. 320 and 326.

† "Parliamentary Reminiscences, 1886-1906," p. 258.

To aid Parliament in its duty towards India the Act of 1858 provided that a Statement exhibiting the Moral and Material Progress must be annually presented, and the obligation continues. This was for many years prepared in the India Office as a compilation and summary of the annual reports on every branch of Government activity poured out by the printing presses of the Government of India, and few Blue books contained so much solid information or conveyed it in so unappetising a manner. Sir Mountstuart Grant-Duff, when Parliamentary Under-Secretary, urged that the Report should be made interesting, and this result was on the whole achieved in the Decennial Reports; in a survey of ten years it was possible to prevent the trees from obscuring the wood, and to trace the developments of policy or the results of economic tendencies. But the annual report was necessarily drawn up by collation of the Indian annual reports, themselves compiled from a mass of provincial reports which in turn were based on district reports. The final result was a précis of a series of summaries.*

It was once suggested that Lord Cromer's admirable annual reports on Egypt should be taken as the model for the Indian Blue book. But departmental officials could not well do more than boil down the dry bones of fact without attempting to explain policy. Occasionally some enterprising subordinate would try to put a little life into his

* The Report was presented by May if possible, and though it covered the official year which ended thirteen months earlier, the full materials for its composition did not and could not reach the India Office until a few weeks before the date of actual publication.

section of the work, but the effort did not often survive the blue pencil of the head of his department. One junior, struck by the tone of melancholy moral reprobation which marked a Provincial Government's survey of the literary output of its charges in vernacular publications, did succeed in getting into print the justifiable if startling statement that the recent fiction published in this area was "marked by an ultra-Gallic lubricity." The phrase lingers in the memory of his friends, because it was in France that he met his fate, a captain who had won the D.S.O. and the M.C. with his battalion in the trenches.

But the India Office did not really enjoy the production of a work which no one could read with pleasure, and at last converted the Government of India to the view that, if the annual report was to be more than a collection of dry bones, it must be produced in India. Since 1919 it has been written by the officer in charge of the Government of India bureau of information, who has been allowed to present the varied information with an individual freedom that enabled him to produce a genuinely interesting survey, while it has been made clear by a prefatory note that the Secretary of State does not necessarily endorse all the opinions expressed on controversial questions.

The Secretaries of State and the Governors-General

"The Secretary of State for India," observed an acute French commentator,* "watches, from a

* Chailley, "Administrative Problems of British India," English translation by Sir William Meyer, p. 538.

lofty and distant position, the ebb and flow of the Indian tides. Charged by Parliament with the control of the Government of India, his deliberate attitude towards that body is neither hostile nor complacent. He watches; he consults; sometimes he intervenes in what the Government of India consider an irritating manner." Lady Gwendolen Cecil* has unkindly revealed that this lofty and distant position was once known in high political circles as "the padded room of the Ministry," not from any habitual violence on the part of its occupants, but, on the contrary, because of its remoteness from English party politics and because the powers of the Government of India and of the India Council at home were regarded as making it a suitable portfolio for a cautious Minister. In 1866, when the late Lord Salisbury as Lord Cranborne first went to the India Office, the Council† was a very strong corporation, consisting mainly of ex-Directors of the Company, and possibly not uninfluenced by what, forty years later, Lord Morley in a letter to Lord Minto described as "the view

* "Life of Robert, Marquis of Salisbury," Vol. 2, p. 204.

† Sir William Hunter in "The India of the Queen" (1903), p. 13, commented on the fact that the Council of India has never possessed the power of initiative that lay with the Directors of the Company. John Stuart Mill, in the protest which he wrote in 1858, urged that if there must be a Secretary of State in Council, all drafts should be prepared under the direction of the Council and then laid before the Secretary of State, which of course amounted to suggesting that the latter should be in precisely the same position as the President of the Board of Control, for the India Office would then have been essentially the office of the Council, just as the India House had been that of the Directors.

said to be profanely current at Simla that the Home Government is always a damned fool," a view against which he protested "in the uplifted spirit of the Trodden Worm."* The Government of India, if at times irritated, as M. Chailley put it, at too stringent interference from the Home authorities, must find it difficult to be sure which is really the strangling strand in the triple cord of the India Office—Secretary of State, Council, permanent officials. Lord Ripon jocularly suggested that Sir Louis Mallet, the Permanent Under-Secretary, believed in "the unredeemed wickedness of the Indian Civil Service," but, in the nature of things, criticisms on points of administrative detail are likely to emanate from Members of Council, who have themselves been engaged in Indian administrative work. Neither the most brilliant Secretary of State nor the most pedantic clerk is inclined to suppose that he knows better than the men in India how to cope with famine. The general principle is accepted that the Government of India should be overruled only for cogent reasons, but when measures require the approval of the Secretary of State in Council it is the plain duty of the India Office to examine them closely and make any suggestions which it honestly, if not always accurately, believes to be of value.† The Government of India can hardly know how often

* Morley, "Recollections," Vol. II, p. 265.

† It is not always realized that there is less personal continuity in the higher posts of the Government of India than at the India Office, as the Secretaries and Deputy and Under-Secretaries normally go back to their own Provinces after a term of duty of five years or less with the Supreme Government.

either the rejection of doubtful advice by the Secretary of State himself, or his willingness to listen to expert opinion on his own ideas, may have prevented the issue of instructions which Simla could not have accepted without a struggle.

For the powers of the Government of India are real and great. The Governor-General in Council is charged by statute with important duties, and must be prepared to deal urgently with unforeseen emergencies. Much harm has been caused by wrong-headed or ill-informed utterances suggesting that the control of the Home Government does, or ought to, reduce to the position of a mere subordinate agency the authority charged with the actual government of three hundred millions of the human race. In the last resort the will of the Imperial Government must prevail in this as in every other branch of Imperial affairs, but a Governor-General is no more a mere agent of the Secretary of State for India than a General commanding in the field is an orderly officer of the Secretary of State for War or of the Prime Minister. On the other hand, it has in the past been necessary for more than one Secretary of State to state emphatically the principle that, when a definite decision has been given by the Imperial Government, it is the duty of Members of the Executive Council in India either to accept and give public support to that decision, or, if they cannot conscientiously do so, to resign office. This doctrine rests not only on the duty of servants of the Crown to obey without qualification the orders of superior authority, but on the principle of collective responsibility, which

is as necessary in an Executive Council* in India as in a Cabinet at home.

The co-operation and occasional conflict of Secretaries of State and Viceroys, *graves principum amicitiæ*, in Horace's phrase, have counted for much in the history of British India. The whole world has, by the publication of memoirs, been allowed to discover facts that were not generally known at the time as regards two periods of critical importance, 1872 to 1882 and 1905 to 1910, and a short account of certain aspects of these may help to explain the actual working of the system better than any attempt to state general principles.†

Lord Northbrook, when sent to India in 1872, had already had official experience of the home side of Indian affairs. Lord Lytton in 1876 came to India from a diplomatic career in Europe; Lord Ripon (1880-1884) had been both Parliamentary Under-Secretary and Secretary of State for India. Lord Northbrook, as his biographer has made clear, took a strikingly independent line on many points, but, though his resignation before the full term of five years was over was clearly due to general dislike

* Under "Dyarchy" the Provincial Government as a whole does not share the collective responsibility of the Governor in Council; a Provincial Minister is not responsible for what is done in the Reserved departments.

† In these periods there are published biographies (in one case personal reminiscences) of both the Secretaries of State and the Viceroys. The most notable gap in the biographical record is due to the absence of any full-length Life of the first Lord Halifax (Sir Charles Wood) or of Lord Canning. The parallel list of Secretaries of State and Viceroys given in Appendix I may be of interest.

of the policy of the Disraeli Ministry, especially with regard to Afghanistan, the actual disagreements between this Governor-General and the Secretaries of State arose not out of party prepossessions but out of a difference of conception as to the position of the Government of India. Thus Lord Northbrook insisted on abolishing the Indian income-tax against the wishes of the Duke of Argyll, his political comrade, and first came into conflict with Lord Salisbury over the action of the Indian Government in introducing tariff legislation without previous sanction from home, a matter on which Lord Salisbury held a view identical with that of Lord Morley a generation later. His refusal to abolish in 1875 the 5 per cent. customs duties on imported cotton put the Home Government in a very difficult position. Later on Lord Lytton had, in order to enforce their decision, to exercise his power of overruling his Executive Council on this question of cotton duties; the only modern instance in which this power has been actually used. Lord Salisbury, as his biographer states, often dwelt in his private correspondence on "the problem of combining an independence of initiative in the local Government with the responsibility for final decision which was inherent in that at the centre. . . . It could only be solved in his view by constant and intimate correspondence between the two authorities."* But a passage contributed by Lord Cromer to the "Life" of his kinsman Lord Northbrook† affords an interesting commentary on this view; he considered

* Lady Gwendolen Cecil, *op. cit.*, Vol. II, p. 66.

† B. Mallet, "Lord Northbrook," p. 91.

that Lord Salisbury's inclination "to conduct the Government of India to a very large extent by private correspondence between the Secretary of State and the Viceroy," coupled with what the critic considered his disposition to neglect and underrate the value of the views of Anglo-Indian officials, "inevitably tended to bring the Viceroy into the same relation to the Secretary of State for India as that in which an ambassador at a Foreign Court stands to the Secretary of State for Foreign Affairs." Lord Northbrook, he continues, held an entirely different view. Attaching real value to the system which enabled purely English and Anglo-Indian experience to be combined, and holding that Parliament had conferred certain rights on the Viceroy's Council as well as on the Viceroy himself, he considered that to withhold their full rights from the two Councils was in spirit unconstitutional, that the position of Members of Council was essentially different from that of Diplomatic officials, and though "he did not by any means always follow the Indian official view," that "for a Viceroy or Secretary of State without Indian experience to overrule those who possessed that experience" was unwise and autocratic. Towards the end of his Viceroyalty Lord Northbrook wrote to Sir Louis Mallet: "I take it a Governor-General gets a high salary for the sake of doing his duty, and a very important part of it seems to me that he should tell the truth to the Secretary of State when he thinks a wrong thing is going to be done."* Lord Salisbury and Lord Lytton were in very close

* *Ibid*, p. 112.

accord, and the latter, who had been vehemently criticised by the Liberals, resigned when they came into office in 1880. Lord Ripon, an ex-Liberal Minister, was sent to India, precisely as Lord Lytton had been, to carry out the policy of his party, a fact which makes the record of his occasional differences with the Liberal Secretaries of State, Lord Hartington and Lord Kimberley, peculiarly instructive. For there was no divergence of views on great matters of principle. Yet he had been in India for only a year when he wrote to Lord Aberdare* complaining vigorously of the control exercised by the Secretary of State, which he was disposed to attribute to the Council and the permanent officials. When he had himself been Secretary of State "it was considered a great mistake to attempt to govern India from London," but now, for various reasons including the increased facilities of communication, "the interference of the India Office has largely increased. The result of a year's experience does not lead me to think that the change is advantageous." Yet none of the highly controversial measures with which Lord Ripon's name is associated was opposed from the India Office; even the famous "Ilbert Bill" was accepted without official comment by the Secretary of State in Council, though a note of caution by Sir Henry Maine as to the excitement which the Bill might arouse in India should have been, but by mischance was not, sent out privately to the Viceroy by Lord Hartington. It was Railway policy that provoked a really poignant *cri de cœur* from Lord Ripon, who was prevented from adopting

* L. Wolf, "Lord Ripon," Vol. II, p. 69.

a programme of rapid expansion because his proposals were regarded at the India Office as based on unsound methods of finance. He succeeded in convincing the reluctant Home authorities that the districts of Sibi and Pishin should be retained when Kandahar was given up. His controversy with the Home Government about the expenses of the Egyptian expedition of 1882 has already been mentioned; this was a Treasury question. But he felt aggrieved that the Secretary of State in Council, while cordially approving the general lines of his notable reforms in agrarian legislation and his establishment of local self-government, would not accept certain details. The history of Indian Press legislation serves to illustrate the interaction of the two authorities. In 1875 Lord Salisbury had urged on Lord Northbrook's attention the violent incitements to sedition published in Indian newspapers, but the Viceroy was unwilling to touch the freedom of the Press. Lord Lytton, however, passed a Vernacular Press Act, committing the irregularity of omitting to send the full text of the Bill first to the Secretary of State in Council. The Liberal Government was resolved to restore the freedom of the Press, but Lord Ripon had some difficulty in persuading his Council to respond to the Secretary of State's wishes by repealing the Act. It had already been modified at the instance of Lord Cranbrook, but the Council at home had been strongly divided on the subject. In 1910 Lord Morley felt obliged to endorse Lord Minto's new Press Act, a measure of far wider scope, though free from the special discrimination against vernacular papers, but the repeal of this Press Act

was one of the measures that followed the recent Reforms.

When Lord Morley went to the India Office, a philosophical Radical devoted to books, who was not known to have specially interested himself in Indian affairs except for their bearing on the career of Edmund Burke, he found himself in partnership with a Scots country gentleman, with a passion for soldiering and sport, especially racing, who, though not much of a party politician, held the Conservative views predominant in his class. Seldom have the chemical elements given such promise of friction culminating in explosion, but seldom has an association of Secretary of State and Viceroy proved so successful. Lord Minto, a very shrewd judge of men, and a Governor-General who took care not to submerge himself in a mass of official files, formed his own views as to the necessity of a constitutional advance in India, and recognised the position of a Radical Secretary of State in a House of Commons consisting largely of new members who expected the great Liberal triumph at the polls in 1905 to regenerate the British Empire in a few months. Lord Morley, however reluctantly, came to agree that the urgent necessities of the moment justified such eccentricities from strict Liberal doctrine as restrictions on the freedom of the Press, and the detention, legal in India but decided without judicial trial, of persons believed to be engaged in fomenting disturbance. The fabric of constitutional reform could not, he held, be constructed unless India were freed from the danger of rampant anarchy, though the existence of political crime

must not be allowed to prevent India's constitutional development. On the greatest issues there was fundamental agreement, and had Lord Morley not chosen to publish his very frank "Recollections," the world at large could hardly have discovered how continual were the differences on points in which the Secretary of State detected an underlying principle while the Viceroy saw a desire to intervene in minor details. "The worst of all dispatch-writing," Lord Morley wrote, "is that it is so apt to engender a spirit of *contention*, both in the man who writes and still more in the man who reads and has to reply."* How thoroughly Lord Minto felt the truth of this, viewed from a somewhat different angle, appears from a private letter that he sent to Sir A. Bigge in 1910: "I used to imagine that the Secretary of State aimed only at directing great principles of Indian policy, and that the administration of the country rested with the Government of India, but there has been interference in everything. It only results in intense worry for the Viceroy, for, do what he will, the Secretary of State cannot administer India."† It was over proposals involving expenditure that Lord Morley pressed most firmly the constitutional powers of the Secretary of State, and it is, of course, in finance that the letter of the law gives him the most specific powers. But he attached great value to his general powers of direction and superintendence. "This notion of the 'free hand,'" he wrote, "is against both letter and spirit of law and constitution." And again, "The

* "Recollections," Vol. II, p. 221.

† John Buchan, "Lord Minto," p. 312.

Government of India is no absolute or independent branch of Imperial Government." "It is the people here who are responsible; it is to them and not merely the Government of India, to whom the destinies of India have been entrusted. They cannot delegate their imperial duties to their agents wholesale. The British public never has abdicated, and I fervently trust they never will."*

Those who are dissatisfied with the pace of movement in Indian affairs will do well to study Lord Morley's doctrines and then regard the political facts of to-day, only fifteen years later. The partition of Bengal, which he refused to disturb, was undone within a year of his leaving the India Office in response to the continued demand of the more vocal elements in the province. Parliamentary government in India has been officially declared to be the goal of constitutional advance and a large instalment of it established. The old *laissez-faire* principle that the State should not directly foster industrial enterprises has been dropped, and the fiscal freedom granted to India is, at present, producing a strongly protectionist policy, while two of the most important subjects with which a Government can deal, education and sanitation, have been committed to Indian Ministers. Less than twenty years ago Lord Morley wrote to Lord Minto: "Nobody will be found more ready and determined than I to uphold the rights and status of India in Imperial affairs, or to resist the imposition upon Indian finance of charges that ought to be regarded as Imperial and not especially Indian. In all these

* "Recollections," Vol. II, pp. 264, 278, 308.

things you will find me as jealous as anybody could desire. But the Cabinet would certainly take fright at any language or acts of ours pointing in the Curzonian direction by seeming to set up, either at the Conference of Tokio or elsewhere, the Government of India as a sort of Great Power on its own account."* To-day India signs and ratifies international treaties, and is a member of the League of Nations.

But it should not be forgotten that before 1919 the Government of India was a bureaucracy which had the constitutional means of enacting any legislation on which it was resolved, and that the British people has never knowingly consented to place unrestricted power in bureaucratic hands. Hence the precautions taken, first by establishing the Board of Control, and later through the powers given to the Secretary of State in Council, to make sure that a small corporation of officials, however conscientious and disinterested, should not pass laws for India or manage the revenues of the country at their own discretion. The establishment of full responsible government would make India as exempt from British interference as Australia or Canada; the occupants of the present half-way house are in a position for which it would be hard to find any exact historical or constitutional precedent. The Secretary of State in Council retains very considerable powers, and Imperial control over India's foreign and military affairs is unrelaxed. As regards internal affairs, the Secretary of State in Council, as will be shown later, has emphasised his guardianship of the

* "Recollections," Vol. II, p. 164.

official services, and is absolutely responsible to Parliament for the maintenance of peace and order in India. The Provincial Governor has been converted by Act of Parliament into a Janus, with one face turned to his Ministers and his legislature, the other fixed on the Government of India and the Imperial Government in the background. But the Supreme Government is, so far as the letter of the law goes, still a bureaucracy. Yet the presence on the Executive Council of Indians who have never served as officials has modified the essential nature of the Government of India, while the knowledge that the present constitution is intended to be a stepping-stone to full responsible Government necessitates an attitude towards the legislature which is not to be understood by the mere words of the Government of India Act. The Parliamentary Joint Committee which determined the scope of the Act of 1919 reported that the devolution of authority from the Secretary of State was in the main to be effected by a change of constitutional convention, and the "fiscal convention" already established has resulted in marked measures of protection for the Indian steel industry, and has inspired other Indian industries with lively hopes of similar favours. Reference to the Secretary of State is still necessary before the Government of India introduces Bills which involve Imperial or military affairs or foreign relations, affect the rights of European British subjects or the law of naturalisation, or concern the public debt or customs, currency, shipping, and certain other matters, but there has been marked decentralisation of administrative

finance, not only from the Supreme Government to the provinces but from Whitehall to Delhi. Lord Morley set up a Royal Commission to consider the first half of this question, but would not allow the powers of the Secretary of State in Council to be touched. Yet an intermediate corporation like the Government of India could not to any great extent divest itself of the control of provincial affairs so long as it was required to account for their management to the Home Government. Similarly, so long as the Secretary of State is responsible to the Imperial Parliament for the general control of all Indian affairs the handling of which he has not, with the consent of Parliament, expressly delegated to authorities in India, he must be constantly consulted and kept fully informed by the Government of India regarding a multifarious mass of subjects, some of which may appear trivial.

Perusal of the terms of the Government of India Act will show that more questions are expressly left to the personal responsibility of the Governor-General—and indeed of Governors—than before 1919, and the closest communication and accord are required to work a system in which one authority is vested by law with powers of general superintendence while the other is by the same law enabled to take action of supreme importance when he regards it as vital. The use made during the War of "private telegrams" was adversely criticised by a Royal Commission, but the practice itself is not only an inevitable development of the system of private correspondence by letter, which is by long-standing custom maintained weekly, and in fact played a very

important part even before 1858,* but necessary for frank consultations as to selection of individuals for appointments, which cannot be conducted through an office. From a broader point of view it is obviously essential that the Secretary of State and the Governor-General should each know what is in the other's mind on questions on which they will have to take official action.

Imperial Conferences

The last forty years have brought about a very marked development in the position taken by India in the affairs of the Empire as a whole. At the first "Colonial Conference" convened in 1887, the Secretary of State for India (Lord Cross) merely attended the formal opening; in those of 1897 and 1902 India was not represented at all, but at the Colonial Conference of 1907 the Secretary of State (Lord Morley) was present at the opening, and a Member of his Council (Sir James Mackay, now Lord Inchcape) represented Indian interests at some of the meetings. An important memorandum on the position of Indians in British Colonies was laid before this Conference. It was then decided that a conference to be called "the Imperial Conference" should be regularly convened every four years for discussion of questions of common interest between His Majesty's Government and those of the Self-Governing Dominions. The Imperial

* The Governor-General and President of the Board of Control could correspond officially only through the Directors of the Company, but maintained regular "private" correspondence. *See* Lee-Warner, "Life of Dalhousie," Vol. I, p. 107.

Government, in the absence of any special arrangement, was clearly responsible for the representation of Indian interests, and the first Imperial Conference in 1911 was attended by the Secretary of State for India (Lord Crewe) as a member of His Majesty's Government. But the War brought about a new situation, and at the Imperial War Conference of 1917 not only the Secretary of State (Mr. Chamberlain), but Sir James (now Lord) Meston, Sir Satyendra (now Lord) Sinha, and the Maharaja of Bikaner were summoned to speak for India. This Conference resolved that India should be fully represented at all future Imperial Conferences, and the Dominions cordially accepted the resolution. The next ordinary Imperial Conference was not held until 1923, but in the meantime the Secretary of State (Mr. Montagu), the Maharaja of Patiala, and Sir S. Sinha had taken part in the Imperial War Conference of 1918, and Mr. Montagu, the Maharao of Cutch, and Mr. Sastri in the "Premiers' Conference" of 1921. A more striking innovation was provided by the admission to the Imperial War Cabinets of 1917 and 1918 of the Indian representatives at the Imperial War Conferences. At the Imperial Conference of 1923 India was represented by the Secretary of State (Lord Peel), the Maharaja of Alwar, and Sir Tej Bahadur Sapru, recently a Member of the Executive Council in India. In the Imperial Economic Conference of the same year Lord Peel, for whom the Parliamentary Under-Secretary, Lord Winterton, acted as deputy on occasions, was assisted by another Member of the Governor-General's Council, Mr. (now Sir Charles)

Innes, and by the High Commissioner, Mr. (now Sir Dadiba) Dalal.

Thus among the functions of the Secretary of State is the duty of representing India at the Imperial Conferences, and he has been able to associate with himself on these occasions non-official British Indians engaged in the public life of the country and Rulers of Indian States.

Treaties.

The adhesion of India, as of other parts of the Empire, to treaties and conventions negotiated by the Imperial Government with Foreign Powers, had long been a matter for special arrangement, since local conditions might exist which rendered it difficult or undesirable to extend to certain parts of the Empire practical provisions on such matters as extradition or trade marks. But the end of the War brought about a very notable change in the international status of India as of the Self-Governing Dominions. India is herself a contracting party in the Treaty of Versailles and the other international treaties which followed, and India, as a separate entity, became an original Member of the League of Nations. Arrangements for the future negotiation, signature and ratification of Treaties were made by the Imperial Conference of 1923, which decided *inter alia* that " bi-lateral treaties imposing obligations on one part of the Empire only should be signed by a representative of the Government of that part."*

* Cmd. 1987 of 1923, pp. 13-15.

Chapter VI

FINANCE. [By S. F. Stewart]

Revenue and Expenditure

The revenue and expenditure of the Government of India are independent of those of the British Government. Except for the salary of the Secretary of State for India and the Treasury contribution towards the cost of the India Office, the British taxpayer does not contribute towards the cost of the Indian government. India now pays for every British soldier she employs; she not only bears his pay and the cost of his maintenance, equipment and transport, but she pays the Home Government a proportion of the cost of his training and of his pension, corresponding to the length of his service in India. On the other hand the Government of India Act is specific as regards the purposes on which Indian revenues can be expended. "The revenues of India . . . shall . . . be applied for the purposes of the government of India alone" (Section 20). Only one exception to this general principle is provided for in the Act.

The special circumstances contemplated by its framers arose during the Great War. Indian expeditionary forces, comprising British as well as Indian troops, served out of India and Parliament in a series of Resolutions approved of the debit to Indian revenues of the "ordinary" charges of

these Indian forces (i.e. the cost of their pay and maintenance) and the payment of certain contributions by India towards the cost of the war. It has been calculated that India's total contribution in money amounted to £146,000,000.

A description of the financial system of a Government is, broadly, an answer to the following questions: (1) what are the sources of public funds and what is the authority for raising them; (2) on what are they spent and on what authority are they released from its Treasury for the purpose. It will be convenient to deal in some detail with these questions as they concern the Central Government, and then to indicate generally the points of difference in the financial procedure of the provincial governments.

The funds required by the Government of India to carry out the responsibilities laid upon them by the Government of India Act are obtained mainly from three sources—the yield of certain taxes, the profits of commercial undertakings financed and managed by Government, and contributions from provincial governments.

The principal sources of revenue in the first class are Customs, Taxes on Income, the Salt Tax, and Opium. The net yield from Customs in the financial year 1924-5, i.e. the revenue after the payment of the charges incidental to the collection of the tax, was about £33,000,000.* The general import duty is 15 per

* In this chapter and the next the figures in the Indian Accounts, and Estimates, which are mainly in rupees, have been converted into sterling at 1*s.* 6*d.* the rupee. The current rate of exchange

cent., but it rises to 30 per cent. on articles of luxury. On cotton goods it is 11 per cent. (A partially countervailing excise duty of 3½ per cent. on Indian cotton goods was withdrawn in December, 1925.) The net receipts from taxes on income in the financial year 1924-25 were about £12,350,000. There is a general tax on incomes, and a super tax. Incomes under Rs. 2,000 a year (£150) are exempt, and the tax rises from about 2½ per cent. to about 9¼ per cent. on incomes over Rs. 40,000 a year (£3,000). The super tax is graduated up to 37 per cent. The Salt Tax yielded in 1924-25 a net revenue of about £5,800,000. The net revenue accruing under the head Opium was about £1,000,000, derived partly from an excise duty on opium consumed in British India and partly from the profit on sales of opium to foreign countries. But under the policy recently announced the latter is a disappearing source of revenue. The total revenue from the above sources, and certain others of the same character but of less importance, was about £54,000,000 in 1924-5 or over 77 per cent. of the total revenue.

The second main group of income-yielding sources consists of the Commercial undertakings of the Government of India. Of these, Posts and Telegraphs yielded £688,000, and Railways £4,233,000 in 1924-5. The latter sum represents the profits accruing to the State from its investments in railways, after all charges, including

in the autumn of 1925 ranged round this figure and it is the rate taken, provisionally, by the Government of India in their Budget of 1925-26. But it is in no sense a fixed official rate of exchange.

interest, have been paid, and due allowance made for depreciation and reserves. The net income from Commercial undertakings in 1924-5 amounted to about 7 per cent. of the total revenue.

The balance of income after allowing for Tax revenue and revenue from Commercial undertakings, arises mainly from "Provincial Contributions," which amounted in 1924-5 to about £6,500,000. The history of the financial relations between the Central and Provincial Governments is interesting because it illustrates the trend of constitutional change in the last fifty years. The principal provinces have budgets of their own, but up to 1877 their income consisted of fixed grants made to them by the Government of India, which took all revenue into its own budget. In 1877 there was substituted for the fixed grant a fixed share of the revenue collected within the province under certain heads, e.g. Land Revenue. This gave to the provincial governments an interest in the amount of the revenue they collected, and an income which expanded with the increasing prosperity of the population, and their increasing needs. These financial "settlements" were at first subject to periodical revision, but later assumed a quasi-permanent character.

The changes introduced by the Act of 1919, and the statutory rules made under it, altered the position essentially. Certain sources of tax revenue, of which the most important have been mentioned above, were assigned to the Government of India; the rest were made over to the provincial governments. But since the tax revenues assigned to the

Central Government, together with the proceeds of its Commercial undertakings, were insufficient to enable it to carry out its responsibilities for central subjects, among which was the main "spending" department—the Army—the difference was made up by requiring the provincial governments to contribute to the Government of India's resources from the proceeds of the taxes made over to them. The sum of £6,500,000 referred to above is almost wholly made up of these contributions.

It might appear at first sight as if the wheel had come full circle since 1877, when the Government of India made fixed contributions to the provinces; but the settlement of the amounts to be paid still rests, as it did then, with the Government of India and the Secretary of State in Council. The amount payable by each province was fixed in a statutory rule under the Government of India Act, which provides for the reduction of the contributions only if the Government of India is satisfied that smaller sums will meet its needs. In the Budget of 1925-6 it was found possible to reduce the contributions by no less than £2,250,000, but of this £375,000 has been remitted for one year only.

So much for funds derived from revenue sources. But the Government of India requires money for capital expenditure on railways and irrigation works. There is no surplus revenue adequate to finance them, and the necessary funds are raised by loans on the London or the Indian money market. As railways and irrigation projects in general yield a return in excess of the interest on the capital invested in them, the debt incurred, so far from throwing

a burden on Indian revenues, is a source of future net revenue. In addition to loan funds there are available for capital expenditure any funds accruing during the year to the Government of India as the custodian of all Government moneys, e.g. the balance of Savings Bank deposits over the withdrawals.

The authority on which public revenue was raised before the Act of 1919 was in effect the orders of the Governor-General in Council acting under the superintendence and control of the Secretary of State in Council. Certain forms of revenue, e.g. Land Revenue, which is essentially a payment to the State as the universal owner of land, were based on the immemorial custom of the country; others, such as railways revenue, accrued directly or indirectly from State owned railways. A third class, of which customs revenue is an example, was raised under Acts of the Indian Legislature.

Under the reformed constitution the position has materially changed. The provincial contributions are fixed by statutory rules under the Government of India Act, and the railway revenue comes into Government Treasuries as before. Similarly any tax revenue accruing under existing Acts is required of the public under the authority of these Acts. But when additional revenue has to be obtained, e.g. by raising the rates of Customs Duty, or the Salt or Income-Tax, or postal rates, the change involved in the Reforms becomes apparent. For the increases must be proposed in the form of a Finance Bill which it is open to the Legislative Assembly to reject, though the Governor-General,

if satisfied that "the passage of the Bill is essential for the safety, tranquillity or interests of British India or any part thereof" may "certify" it, and thereby give it the force of law.

The limit of the amount which may be borrowed in sterling on the security of Indian revenues is fixed from time to time by Acts of the Imperial Parliament. Within these limits loans are raised on the authority of the Secretary of State in Council in the London market.

To turn now to the expenditure side of the Government of India Budget, two items account for the greater part of it—Debt Services and Military Charges. The amount shown as expended in 1924-25 under the first head was about £10,500,000, but this does not represent the interest on the whole of the Government of India's debt; for the interest on the loans devoted to the construction and purchase of railways is separately provided out of the receipts from railway traffic, before the net contribution to general revenues from railways is determined.

By far the most serious of the Central Government's financial obligations is the cost of the military services. In 1924-5 the expenditure under this head was £42,000,000. In 1920-21 it was over £60,000,000, but the charge was swollen by the aftermath of the War, and by a war with Afghanistan. A policy of strict retrenchment, reinforced by the recommendations of the Inchcape Retrenchment Committee of 1922, reduced the charges, and from the year 1923-4 to the Budget estimate for the current year they have remained practically unchanged.

There arises next the question of the authority which sanctions appropriations from the public revenues, or loan funds, for expenditure on these and other purposes. The primary enactment on the subject is Section 2 (2) of the Government of India Act which gives to the Secretary of State in Council power to "superintend, direct and control all acts, operations and concerns which relate to the . . . revenues of India." This power was in theory unlimited before the Act of 1919. But in practice it was impossible for a Secretary of State in Council in London to authorise by special or even general orders all the expenditure of an immense country 6,000 miles distant; and the practical delegation of authority went so far at one time as to give colour to the view that the Government of India had full powers in all matters in which the Secretary of State in Council had not by special or general order reserved control to himself. The constitutional position was exactly the reverse, for the language of the Act left the Government of India no powers other than those specifically delegated to them.

The position was materially altered by the Act of 1919, which introduced a new controlling authority over expenditure. The power of the Secretary of State in Council to "superintend, direct and control" still remains, but it is "subject to the provisions of the Act or rules made thereunder." The most important of them is Section 67 A of the Act which lays down that the proposals of the Governor-General for the appropriation of funds shall be submitted to the Legislative Assembly,

which may assent or refuse its assent to these demands for grants or may reduce the amount. But the Act qualifies the Assembly's power to reject demands in two important respects. First, the demands for grants for certain heads, the most important of which are Interest on Loans, the salaries and pensions of officers appointed to the Service by His Majesty or the Secretary of State in Council, and Defence, need not be submitted to the vote. Second, if a demand for any grant is rejected, and the Governor-General in Council is satisfied that it is essential to the discharge of his responsibilities, he can act as if the demand had been accepted. A further provision gives him power in cases of emergency, notwithstanding the general procedure, to authorise expenditure necessary for the safety or tranquillity of British India. These exceptions place an important limitation on the power of the Assembly to refuse supply. In the Budget of the present year, of the total of the demands for grants on revenue and capital account roughly half were under "voted" and half under "non-voted" heads.

Turning now to the Budgets of the provincial governments, their most important source of income is Land Revenue, but Excise, Stamps, Forests and Irrigation make important contributions. On the expenditure side the chief items are Debt Services, civil administration charges such as Justice, Police, Education, Public Health, and the contributions to the Government of India referred to above. Their capital expenditure is mainly financed out of loans from the Government of India which has

established a "Provincial Loans Fund" for the purpose.

The powers of the provincial legislatures over supply are less restricted (within the narrower field of provincial finance) than those of the central body. It will be remembered that under the reformed constitution the provincial field of administration is divided into two branches, the Reserved, administered by the Governor acting with his Council, and the Transferred, the responsibility for which lies with the Governor acting with Ministers. The general Budget procedure is on the same lines as in the Legislative Assembly of the Central Government, but the power of the Governor to replace a demand which he considers essential to the discharge of his responsibilities is restricted to demands relating to a Reserved subject. On the Transferred side he can authorise expenditure in the face of the refusal of the legislative council only if he is satisfied that the grant is necessary for the safety or tranquillity of the province or for the carrying on of any department—a much more restrictive condition.

In the provincial as in the central Budgets there is a group of subjects for which grants need not be submitted for the approval of the legislatures. The most important are the provincial contributions to the Central Government, which as has been stated are fixed by statutory rules under the Government of India Act, and the emoluments of officials appointed to the services by His Majesty or the Secretary of State in Council.

Such are the relative powers under the new constitution of the Governor-General and the

Assembly in central subjects and of the Governor and his Legislative Council in regard to provincial subjects. There remain the relations between the Secretary of State in Council on the one hand and the Governor-General in Council (or the provincial Governor acting under the direction of the Governor-General) on the other. The latter, under the Budget procedure, lays his proposals for appropriation before the Legislature, which, subject to the limitations described above, may reject or reduce, but cannot increase them. The initiative in expenditure therefore lies with the Governor-General (or Governor), and the question suggests itself—how far is his policy limited by the necessity for obtaining the consent of the Secretary of State to the proposals he puts before the Legislature.

As has been stated above, it is in practice impossible for the Secretary of State in Council to scrutinise the great mass of the expenditure of the Government of India, or to express in terms specific enough to be of value the kind of question in which the general direction, superintendence and control vested in the Secretary of State by the Government of India Act make prior reference to him necessary. But however difficult it may be to delimit the fields of responsibility for expenditure in practice, the theoretical position is clear. The Secretary of State remains in law responsible to Parliament for all expenditure from Indian public funds by the Government of India, and for much of that incurred by provincial Governments. At the same time, practical necessity has for many years past required him to delegate large powers of initiative to the

Governments in India, and the policy of the act of 1919 necessitated an increase in this delegation with the result that his previous approval to new expenditure is now required in only a limited class of cases, subject, however, to the general understanding that plans involving important questions of policy should not be initiated without consultation with him. Such questions, and in particular the important and difficult problems of currency policy referred to later, are considered by the Finance Committee of Council before final decision by the Secretary of State in Council. On this Committee there is always a Member of Council of high standing and long experience in the London money market, and a Member who has been intimately connected with the financial operations of the Government of India in India.

The only exception to the statement in the preceding paragraph regarding the responsibility of the Secretary of State concerns provincial Transferred subjects. The essential purpose of the Act of 1919 was to confer on ministers dependent upon elected legislatures the responsibility for the administration of such subjects, and the logical implication was that the Secretary of State in Council should divest himself of his powers of control in regard to them. He has done so in a statutory rule made under the Act which declares that his powers of superintendence, direction and control in relation to Transferred subjects shall be exercised only for certain limited purposes, among which are inter-provincial or international questions and a general control of the civil services.

The above account of the relations between the Secretary of State in Council, the Governor-General in Council, the Provincial Governments and the Indian Legislatures is necessarily involved, for the constitutional position which it describes is far from simple. But subject to the provisos of the Act the general position might be described as follows. The Provincial Governments and the Governor-General in Council have in practice the initiative as regards a great deal of the expenditure, but they are subject, except where provincial Transferred subjects are concerned, to the control of the Secretary of State in Council whenever he thinks fit to exercise it by general or special order. The legislatures have no constitutional power to initiate expenditure but, subject to special powers of overriding them given to the Governor-General, or the Governor, they have important powers of refusing supply, even for objects approved by the Governor, the Governor-General and the Secretary of State in Council. Lastly, the legislatures have, again subject to special overriding powers, control over the raising of additional funds by taxation.

Exchange and Currency

No account of the financial problems of the Government of India, however summary, would be adequate if it omitted to describe the cardinal importance of two factors—the annual monsoon and the exchange value of the rupee. By far the greater part of the taxpaying population of India consists of peasants finding their only source of livelihood in the produce of the soil. The harvests

of India are precarious, for they depend on seasonal rain-bearing winds which on occasion fail completely over immense areas. The Indian cultivator has seldom any resources to fall back upon, and in time of famine Government has to spend large sums on relief. It has also to face a reduction of revenue. Land revenue, is, as has already been stated, the mainstay of the finances of provincial governments. In a famine-stricken area it must be remitted (or postponed) for small tenants on the brink of starvation ; and Customs Excise and Railway revenue all suffer.

But the troubles of the Indian financial administration on a failure of the monsoon are not ended with the loss of revenue and the extra expenditure on famine relief. The Government of India has large financial obligations in this country ; it has to meet the interest on sterling loans, the cost of material, e.g. railway or military stores, bought here, the sums due to the War Office on account of the training and pension charges of British troops, and the pensions and leave pay of members of the Services. All of these have to be met in sterling, whereas the revenues of the Government of India are collected in rupees. The "Home Charges" described above amount at present to about £25,000,000 a year and a fall in the exchange value of the rupee from 1*s.* 6*d.* to 1*s.* 5*d.* means that about 20,000,000 more rupees have to be raised in India to discharge them.

"Exchange" has never been a subject of interest except to economists and financiers, but the experience of a depreciated dollar exchange in this

country in recent years makes it possible for the ordinary man to understand the troubles of the Indian taxpayer for whom the situation has been a recurring one.

The Indian exchange market has always been remarkable for the large part played in it by Government transactions. This arises from two facts mainly, that India has normally a large balance of trade in her favour and that the Government of India has large obligations in this country which have to be discharged in sterling. For the five years preceding the War, for example, India's private exports of merchandise exceeded her private imports by goods to an average value of over £52,000,000. Some of this "balance of trade" represents payments due by India for interest on capital invested in Indian business, or for freight charges, and a considerable part of it is paid for by imports of gold and silver into India. But in general there remains a large debt due from private persons in London (as the clearing house of the world's debits and credits) to India. Against it there are the "Home Charges," a *sterling* debt representing the commitments of the Government of India in this country.

The revenues of the Government of India are of course collected in India in *rupees*. The Secretary of State in Council or the Government of India can therefore offer rupees in India in exchange for the sterling required in London, and in normal years rupees held by the Government of India are bought in this way by the banks through which the net indebtedness of commercial firms to

Indian exporters is discharged. But in abnormal years and, in particular, in famine years when Indian exports of raw material are seriously reduced, the net indebtedness of this country to India falls, and may even disappear. Then the demand for rupees in exchange for sterling slackens, and the Secretary of State, failing other means of obtaining sterling funds to meet his Home Charges, has to accept less than usual for the rupees in the Government of India treasuries. The general effect of such a fall in the sterling value of the rupee has been illustrated above.

The main purpose of the currency policy of the Government of India for the last forty years has been to stabilise the rupee. It is not proposed here to relate the history of Indian currency policy over this period, but certain landmarks in the story are essential to the understanding of the problems which have been in the past, and are now, among the most difficult that confront the Government of India and the Secretary of State.

Up to 1893 it was open to anyone to take silver to the Indian Mints and have it coined into rupees, the legal tender of the country. The late 'seventies and the 'eighties of last century saw, for reasons which need not be described here, a serious fall in the price of silver. India's debtors could discharge their debts by buying silver and shipping it to India for coinage. No one, therefore, would buy from the Secretary of State in Council rupees at a cost in excess of the cost of the operation mentioned, and the exchange value of the rupee decreased with the fall in the price of silver until

from about 2*s*. it had fallen below 1*s*. 3*d*. The effect on the finances of the Government of India was disastrous, and in 1893 it was decided to close the Indian Mints to the free coinage of silver. Since that time it has rested solely with Government to decide when fresh coinage is required.

For some years after the closure of the Mints no more rupees were coined, and by the beginning of the present century the rupee had become stabilised at about 1*s*. 4*d*. What had happened, broadly speaking, was that the rupee prices in India of articles of international commerce had become established at a level which was roughly equivalent to sterling prices elsewhere, at 1*s*. 4*d*. the rupee.

The Secretary of State's main direct concern with exchange operations was to obtain sterling to pay the Home Charges, and he was under no obligation to go on selling Indian currency after his own requirements had been met. But when the rupee had settled down as a result of the closure of the Mints the Government of India undertook to give rupees for gold presented in India at the rate of Rs. 15 to the sovereign (the equivalent of 1*s*. 4*d*. the rupee). It was thus possible for persons owing rupees in India to discharge their debts by shipping gold to India and exchanging it for rupees there. The cost of doing this was about $\frac{1}{8}$*d*. per rupee and, as an alternative to the shipment of gold, the Secretary of State in Council undertook to sell rupees freely at 1*s*. 4$\frac{1}{8}$*d*. In effect he took payment in sterling here instead of requiring the buyer to present gold in India. Under the currency

conditions of the period preceding the War 1*s*. 4⅛*d*.* was therefore the upper limit to which the rupee could rise.

The limit set to its fall was not fixed so precisely, for though the Government of India in general was prepared to reverse the process referred to in the preceding paragraph and give a sovereign for Rs. 15, it did not bind itself to do so. A situation occurred in 1907-8 which made necessary a decision of policy on the point. The Indian monsoon failed and concurrently a financial crisis which originated in the United States spread to all the financial capitals of the world. So far from there being a balance of indebtedness in India's favour large payments had to be made by India to London. They could not be made in rupees, for the bullion value of the rupee was far below its exchange value. As has been said above, the Government of India had not bound itself to give gold in exchange for rupees, but the means taken to meet the situation amounted to the same thing in substance. It sold in India, in exchange for rupees, drafts on the Secretary of State in London, payable in sterling, at the rate of a sovereign for Rs. 15 (subject to a deduction corresponding to the cost of shipping gold from India to London which the buyer of the sterling drafts escaped). The measures proved adequate, for the Secretary of State was able to meet from his sterling resources all the drafts sold. A lower limit to the fall in the exchange value of the rupee was thus established, if not by a binding

* For telegraphic remittance the rate was $\frac{1}{32}$ of a penny higher.

undertaking, at any rate by the experience of an unusually severe financial crisis.

The currency system that thus emerged was known as the "Gold Exchange Standard." The principal legal tender currency was rupees (or Government rupee notes). They were over-valued in the sense that their value as bullion was much less than their exchange value. Sovereigns were legal tender and Government undertook to issue rupees for them at Rs. 15 to the sovereign, thus limiting the upward rise of the rupee. Lastly for international settlements the experience of 1907-8 had indicated the Government of India's determination to limit the fall of the rupee by issuing, when a demand for it arose, sterling in exchange for rupees at what was essentially the same rate.

The question naturally arises at this point: from what resources did the Secretary of State in Council meet the sterling drafts sold by the Government of India in the critical months of 1907-8? Apart from the emergency resource of raising a loan in the London market he had three funds at his command. The first was his balances, which are ordinarily fed from the revenue of the Government of India through the sale of rupees for sterling as described on page 104, but also include any unexpended balance of loans raised for capital expenditure on railway and irrigation works.

The second was the Gold Standard Reserve. This is a fundamental element in the Indian currency system. It will be remembered that the rupee is, in general, a "token" coin—the value of its silver content as bullion is less than its "face

value." There is, therefore, a profit on coinage, and the profit is in general considerable. On the other hand it was the general policy of the Government of India to keep the value of the rupee from falling below 1*s*. 4*d*., and it was realised that in emergency this might involve heavy expenditure. It was, therefore, decided early in the present century to devote the profits from coinage to build up a fund—the Gold Standard Reserve—primarily intended to support exchange whenever the rupee showed signs of falling. This Reserve was drawn upon in 1907-8 to meet the sterling drafts sold by the Government of India, and so served the purpose for which it was created. At one time it was kept partly in India, but the whole of it is now in London. It has reached a value of £40,000,000 held in the form of sterling securities, mainly of short date. Until it reached this large amount the interest on the investments was added year by year to the fund, but at present it is credited to the revenue account of the Government of India.

The third of the resources used by the Secretary of State in the crisis of 1907-8 was the portion of the "Paper Currency Reserve" kept in London. The note currency in India is a Government issue, and is backed to the full value of the circulation by securities or metal, which form the Paper Currency Reserve. Part of this reserve is kept in gold in London where it is readily available to buy silver when exchange is high and further coinage is necessary. On the other hand when exchange is weak it affords additional resources from which

sterling drafts on the Secretary of State can be met. When this is done the amount taken from the Reserve in London is replaced by rupees in India.

The currency system just described was examined in 1913-14 by a Royal Commission presided over by the Rt. Hon. Austen Chamberlain. The Commission had made recommendations designed to carry its general principles to their natural conclusion when the War broke out. The disturbance of world commerce and exchanges that followed were not, and could not have been, provided for in any currency system based on pre-war conditions and anticipations, and an entirely new group of currency problems presented themselves. From India's point of view the main factors in the new situation were two. After the early stages of the war India's favourable trade balance became larger than ever. Imports from Europe were hard to get and there was an ever increasing demand from the allied powers for India's products. Concurrently there was a continuous rise in the general level of world prices. In particular the price of silver rose, and by 1917 had reached the pitch at which it became profitable to melt down rupees for their bullion value. Government was thus faced with a strong demand for the additional rupees required to carry on the expanded trade of India at a time when they could only be coined at a loss. It became necessary, therefore, to abandon the 1*s*. 4*d*. value of the rupee and between 1917 and December, 1919, its exchange value, as measured by the price at which the Secretary of State in Council sold rupee drafts on India, was gradually raised with

the rise in silver until it reached 2*s.* 4*d.* sterling. In the interval large quantities of silver were bought for coinage in America and elsewhere. It may be noted in passing that during this period the rise in prices in India was much less than the rise elsewhere.

At this stage (1919-20) the Indian currency system was investigated in the light of the experience of the War by a committee of which the late Sir H. Babington Smith was Chairman. Their main recommendation was that measures should be taken for the establishment of a new exchange value for the rupee, viz., 2*s. gold* (equivalent to about 2*s.* 9*d. sterling* at the time); in other words the sovereign which had hitherto been rated at Rs. 15 was to be rated at Rs. 10. Any tendency of the rupee to fall below this rate was to be met by the sale of sterling drafts as in 1907-8, but at the new rate of exchange.

The recommendation was accepted, but at once a group of circumstances combined to falsify the anticipations on which it had been based. Prices in the United Kingdom which had reached a point nearly 200 per cent. above pre-war level began to fall, and with them exports from India. On the other hand imports remained high because India had been starved of European products during the War and, to make up the leeway, had placed large orders during the period of high exchange. An indifferent monsoon followed with its usual pressure on exchange; and finally the price of silver dropped rapidly. The Government of India in its effort to counteract these influences sold sterling drafts on London to the amount of £55,000,000 between January and September 1920, first on the basis of a 2*s.*

gold rupee and later at 2*s*. *sterling*. But the demand for sterling drafts was far in excess of the amount offered for sale by Government and after a prolonged trial, in view of the uncertain outlook, the effort to stem the tide was given up in September, 1920.

By 1922 the rupee had fallen substantially below the established pre-war rate of 1*s*. 4*d*. Since then, under the influence of retrenchment, leading to balanced budgets, and of careful control of the currency, it has recovered to about 1*s*. 6*d*. Its future is under the consideration of a Royal Commission which returned in January from taking evidence in India.

The public debt of India on March 31st 1925, was over £700 millions, but about two-thirds of this is "productive" debt; that is to say, it represents investments in railways and irrigation works which yield an income sufficient to cover the interest charges, and indeed to afford in addition a net surplus revenue to Government. In 1914 the total of the public debt was £345,000,000; the difference, in so far as it is not productive debt, is the result of War expenditure, including the War contribution made by India to the British Government, and a series of revenue deficits in the years following the War.

A sum of not less than 4 crores of rupees (about £3,000,000) is charged against the revenue of the Government of India annually and devoted to the reduction or avoidance of debt.

Family Pension Funds

Something must be said in conclusion of the

provision made for the widows and children of members of the Indian Civil Service and the Indian Army. The hazards of service in India made it necessary for the older services to establish funds for the benefit of their dependents. They were managed by trustees, and the rates of subscription and the benefits were prescribed by rules. For various reasons these "funds" were taken over one after another by Government, which now fixes from time to time the subscription and the benefits on the basis of an actuarial valuation of the assets and the liabilities. The subscriptions are not "funded" but are paid into the general account of the Government of India which assumes liability for the benefits. A small liability for the children of members of the Indian Civil Service falls on the State, but apart from this the whole of the Family Pension Rules are based on the principle that the State should make neither profit nor loss. But interest is, of course, credited on the balances standing to the credit of the scheme from time to time. The management of these pensions constitutes in effect an insurance branch of Government under the control of the Secretary of State in Council.

Chapter VII

RAILWAYS AND OTHER PUBLIC WORKS

[By S. F. STEWART]

Railways

To a traveller in India the railway system of the country appears at first sight to consist of a number of separate companies' lines. But the greater and most important part of the railways belongs to the State, which has the right of acquiring nearly all the remainder by purchase at fixed dates.

The railway policy adopted was based from time to time on political theories of the proper attitude of the State to private enterprise; but the recurrent consideration that in the long run governed the development was the fact that India had but small capital resources of its own, and that the return on capital invested in its development was precarious and in any case might be long deferred.

The rapid development of railway communications in this country towards the middle of the nineteenth century led naturally to projects for railway construction in India. The East India Company in 1849 entered into contracts with private companies domiciled in England for the construction of short experimental lines starting from Calcutta and Bombay. The companies undertook to construct and manage specified lines under the general control of the

Government of India, which had power to decide all matters of moment. Government also reserved the right to buy the railways on payment of the value of the companies' interests in them. The companies were guaranteed interest at fixed rates on their capital, and half of any surplus over the fixed interest was to be used to repay Government for any expenditure incurred in carrying out the guarantee. These contracts proved expensive to Government, for the undertakings never earned enough to pay the guaranteed interest. An attempt was made in the 'sixties to substitute a fixed subsidy for a guarantee of interest, but companies which undertook construction on the new conditions soon found that they could not carry on and the new policy completely failed.

The alternatives open were a reversion to the older plan of guaranteeing a fixed rate of interest on the constructing company's capital, and State construction. The objections to the first were clear. Government would almost certainly have to make good from its revenues losses on working, and the prospect of surpluses accruing from which it could be recouped was very remote. The Duke of Argyll, Secretary of State from 1868 to 1874, decided in favour of State construction, and for more than ten years thereafter (1869-1880) the bulk of the railway construction was undertaken by Government direct.

About the same time (1870-71) revised agreements were made with some of the guaranteed companies of the first period. Government's right to purchase the lines when the contracts had run for certain

terms of years gave the Secretary of State something to bargain with and, in exchange for a postponement of the earliest date of purchase, the companies agreed that half the surplus profits in any year should be the property of Government. The change became of great importance at a later stage when surplus profits became the rule and not the exception, and in principle it now forms part of all the contracts with companies.

The next landmark is the report of the Famine Commission appointed after the great famine of 1878, which estimated that 5,000 miles of railways were necessary for the protection of India against famine. The Government of India thought that the capital required to carry out so serious a programme could not be raised consistently with the general financial policy governing its loan operations. It was therefore driven back on the older plan of inducing private companies to construct new lines out of their own share capital, and after 1881 six important new guaranteed companies were formed. The interest guaranteed was lower than had been necessary in the 'fifties, and the Government of India was to receive the larger share in any profits remaining after this had been paid. The lines were declared to be the property of the Secretary of State in Council, and he had the right to terminate the contract of the companies for working the lines after approximately twenty-five years on payment of their share capital at par.

The right to purchase the railways built by guaranteed companies has almost always been exercised on the dates prescribed in the original

contracts (except in so far as the period has been extended in consideration of variations in the contracts in the interests of Government). But purchase did not necessarily terminate the connection of the companies with their railways. In some cases Government took over the railway and worked it through the State railway service, but not infrequently it made new contracts with the companies under which they operate the railway on behalf of Government as owner, and in general it has been possible to secure by the new contract more favourable financial conditions for Government.

The result of this policy is that over 27,000 miles of the railways in India, which is more than two-thirds of the total mileage and comprises most of the main lines, is the property of the State. But these railways are operated in different ways. Five of the chief railways with an aggregate mileage of about 14,000 miles are worked by a State railway service. The balance of the State-owned lines are operated by private companies; in general, but not always, by the companies which built them. The terms on which the companies have undertaken to work them vary in detail, but in every case Government owns a preponderating share in the capital engaged in the undertaking and gets a corresponding share in the net profits. The right to terminate the contract at specified times on repayment of the Company's capital at par is also reserved.

The financial results of the railway policy sketched above are interesting. The total capital standing at charge of the State-owned portion of the railway

system in March, 1924, was about £465 millions.* Less than 12 per cent. of this is the capital of the companies working the lines, the rest representing the State's property in the railways. After paying all working expenses, the interest due on all capital liabilities and the companies' share of surplus profits, there remained out of the traffic receipts of 1923-24 a balance of £4,850,000—in other words the Government of India derived from its railways in the year in question a net gain of over 1 per cent. on the State capital standing at the charge of the system. The actual gain was greater, because in addition to the items mentioned above a considerable sum was spent (and charged against the railway receipts) in the form of annuities and sinking funds—in effect on the purchase of other lines. It should also be noted that a certain portion of the railway system consists of strategic railways, which were not built in the expectation of a commercial profit and are actually worked at a loss.

Up to 1900, with the exception of one year, there was a steady loss on railways which aggregated about £48,000,000 at the end of the century. But the tide then turned and, though there have been years in which the railways did not pay their way, on the whole the year 1923-24 may be taken as fair indication of the value to Government of its railway assets.

* The expenditure was incurred partly in sterling and partly in rupees; the figure above is made up of the sterling liability incurred on the purchase of railways (less the amount cancelled) plus the remaining expenditure as stated in rupees, converted at 1*s*. 6*d*. the rupee.

The responsibilities of Government in regard to so complicated a system are obviously very varied. As regards the State-worked lines it resembles a private company managing its own property—a property comprising 14,000 miles of line and employing a staff of about 400,000 men. It is the predominant partner in the State-owned lines worked by companies and, so far from being a sleeping partner in the concern, has retained for itself specifically by contract very wide powers of direction and control. Government is also the principal source of the capital funds out of which old railways are renewed and new railways built, and has found it necessary to retain a control over the subsidiary sources from which capital can be raised, e.g. by the companies. Further, there lies upon the Government of India the general responsibility of the State, whether it owns railways or not, for securing the safety and the interests of the travelling public.

Each of these spheres of responsibility has problems of its own. As direct employer of the State railway officials the Government of India must give them the same general conditions of service as other State servants of comparable status and responsibility.

Government has necessarily reserved large powers of control over the railway companies. The line and rolling stock must be kept in repair to the satisfaction of Government, which may require the company to carry out any alteration in the line which it thinks necessary, and may regulate the rates and fares within certain limits. Further, the

contracts secure to Government general powers of control, inspection and audit. The Secretary of State appoints a Government Director to the Board of every company, with a power of veto on its proceedings. The principal companies have their headquarters in London and the Government Director is on the staff of the India Office.

The contracts are made in the name of the Secretary of State in Council, but the powers secured to him are in practice exercised by the principal administrative officer, the Chief Commissioner for Railways in India, and his staff. The Secretary of State is concerned only with the very broadest questions of administration, organisation and finance. For example, when it is necessary to require one company to enter into agreements with another for the interchange of traffic and rolling stock or for the use of the stations common to two lines, the practical arrangements can be made in India only by the engineers and the traffic experts of the companies and the Government of India's railway headquarters. And the projects of the companies for fresh capital expenditure on the rehabilitation of their lines or on extensions can be criticised and balanced against the demands of other undertakings only by the Chief Commissioner. But from time to time circumstances arise which were not contemplated and are not provided for in the contracts with the company, or differences of opinion occur between Government and the companies as to the interpretation to be placed on particular provisions. In such cases negotiations are in general carried out between the Secretary of

State and the Board of the company in London.

In one respect the companies are given a very free hand; Government does not interfere in the selection of their staff. But the Secretary of State cannot entirely dissociate himself from the conditions on which the company's staff are employed. He contents himself, however, with laying down in "Fundamental Rules" broad principles governing such matters as leave and the rates of leave pay.

But the provision of funds for capital expenditure on the railway system is the question that raises the most difficult and important issues. Government comes to it in two capacities. If it were only the owner of an immense commercial asset its policy would be clear, viz. to run it, as a private company would, on commercial lines in the interest of the shareholders. But here the owner has also the general responsibilities of the Government of a country towards all the interests in it, and in particular the obligation to balance a budget with proper regard to all these interests.

From the beginning of the present century increasing pressure was brought to bear on the Government of India to attach more weight to the commercial side of the railway problem. Up to 1914 the period was one of great trade expansion; and it was argued that if the railways were privately owned their management would realise that large and continuous capital expenditure on new lines and additional rolling stock could be made to bring in a business return; and it would raise the funds required in the London money market, or elsewhere, at the rate of the day.

The railway programme of the Government of India was financed on other principles. By far the greater part of the funds devoted to capital expenditure was raised by Government in the form of loans issued on the general security of the State, and Government, recognising the importance of railway expansion to the trade and commerce of the country, borrowed each year to the full extent recommended by its financial advisers. But the desire to borrow freely was restricted by the danger of depreciating the existing volume of debt. Government's borrowing was therefore limited to a greater extent than a private company's. Moreover, railway expansion had to compete with the claims of large irrigation projects, themselves offering the likelihood of a good commercial return to Government and a direct benefit to large sections of the people of India.

There was a further complication. Any surplus on the revenue account of the year is thrown into the general fund available for capital expenditure. But budgeting in India is a precarious business, and the actual surplus disclosed at the end of the financial year, after the programme of railway capital expenditure for the following year has been fixed, may be much more, or much less, than was anticipated. The capital available for railway projects therefore varied with the general prosperity of the country. On this was founded a second criticism of the policy of Government; for it was argued that large railway projects involving commitments for material many months in advance of its use could not be adequately carried out on a programme settled for a year at a time and possibly varying

from year to year. As against this line of argument the view was held that so long as the railways were dependent on Government for funds they could not expect to escape the effects of fluctuations in the prosperity of the State as a whole.

The post-war years began with an outburst of commercial activity in the export trade of India. The trade expansion was hampered by a railway system badly in need of rehabilitation after the inevitable neglect of the war period. This gave fresh point to the criticisms of the pre-war period and a Committee, of which the late Sir W. M. Acworth was Chairman, considered the question in 1920-21. The general tenor of their recommendations was to emphasise the importance of the commercial side of Government's interest in the railways. They advised that railway finance should be made independent of the general budget, that the sums available for capital expenditure should be fixed over a term of years so as to admit of the administration working to a long period programme, and that the administration itself should be freed as far as possible from administrative and financial control by the Government of India.

Their recommendations on these points have been accepted, with certain modifications. The railway administration was guaranteed an allotment of thirty crores of rupees (£22,500,000) a year for five years from 1922-23. It is worth noting that it has not yet been found possible to spend the full annual allotment up to the present, but any sums unspent do not lapse to the general funds of Government as they formerly would, but stand to the

credit of the railway administration. The independence of railway finance extends to revenue as well as capital expenditure. The railway budget is presented to the Legislative Assembly in advance of the general budget (with which it was incorporated up to 1924). It provides for all the charges properly debitable to the railway receipts, e.g. working expenses, interest, surplus profits of companies and depreciation. But the whole of the balance available after these charges have been met no longer accrues to the Government of India's general assets. The payment towards the general revenues of the State is limited to an amount equal to 1 per cent. on the State capital at charge of commercial railways plus one-fifth of any surplus remaining after this charge has been met, with additional payments if the balance exceeds a certain figure. As against this the Government of India credits the railways with the loss on the working of strategic lines. The net balance stands to the credit of the railway administration in the form of a railway reserve account and is available for any purpose requiring special provision.

The result is a reasonable working compromise. It gives the authorities responsible for the railways greater independence and greater security for the systematic carrying out of their projects than they have ever had before. But it is still true that Government ultimately finds or guarantees all the loan funds devoted to railways, and in a grave emergency the doctrine that the railways, like every other concern of Government, cannot expect to be guaranteed against fluctuations in the general prosperity would still be valid.

Irrigation

It would be impossible within the scope of this book to give an account of all the operations of the Government of India that fall within the description "Public Works." But the work that has been done, and is still being done, by the Irrigation Department, is so striking that something must be said about it.

Reference has already been made to the importance of rainfall for the welfare of the Indian peasant. Even in a normal year there are wide areas over which the rainfall is too scanty to ensure good harvests, and the failure of the monsoon means complete disaster to the cultivators. The general object of irrigation operations is, of course, the diversion, or the storage, of surplus water, for use in other localities, or in other seasons of the year than those in which it accumulates. A few instances will show the scope and dimensions of the work. The Periyar Irrigation System involves the diversion into the Bay of Bengal, across the whole breadth of the Indian Peninsula, of a river flowing into the Arabian Sea. A dam was constructed 3,000 feet above sea-level and a tunnel bored through the main watershed of the country; and the waters that would otherwise have run to waste on the west now irrigate a large area on the east which, before the work was completed, was faced with scarcity every alternate season and with acute distress in bad years. The irrigation system of the Punjab is, however, the most striking example of the scale of the Department's work and its beneficial results. As its name implies, the Punjab is plentifully supplied with rivers; but they are fed from

the Himalayas and a large part of the regions between them has an average rainfall of less than fifteen inches a year. Before the introduction of irrigation water it was practically waste. Great areas of this region have now been turned into fertile, well populated country by canals diverting the river water. The culmination of the work was the great Triple Canals Project. The waters of the Jhelum on the west were diverted into the Chenab further east. The supplies of the latter thus set free were led eastwards, irrigating the country between the Chenab and the Ravi, and then across the Ravi to irrigate an immense area to the east of it. The fact that the population of the Lower Chenab Colony, on one of the earlier canals, rose from 8,000 to 800,000 in ten years is an indication of the transformation of the country brought about by work of the kind.

In 1924 26,500,000 acres, or nearly 12 per cent. of the whole area under crops in India, were irrigated from Government works and there were 60,000 miles of Government channels, ranging from the main canals to little channels carrying the water within reach of the cultivator himself.

Financially the irrigation policy has been extraordinarily successful. The return on the outlay is partly indirect. The population is greater and more prosperous; land that was waste yields a rent to Government, and the yield from taxes increases. But there is an ascertainable revenue from the works, for the agriculturist pays for the water supplied, and this alone yields a substantial surplus to Government after the interest on the capital expended on the Irrigation Works has been met.

The Works themselves are classified as Productive and Unproductive. Productive Works yield a commercial return on the capital invested, and in general were constructed on the assumption of such a return. For the past half century the funds for them have been provided out of loans and the return has amply justified the policy. In 1924 the total capital outlay on them was about £42,000,000 and the return to Government after the payment of all working expenses was 11.7 per cent.

Unproductive Irrigation Works, as their name implies, do not yield a commercial return on their capital cost. In 1924 this amounted to £22,000,000 and the return was 1.12 per cent. But many of these works were constructed to protect areas specially subject to harvest failures and consequent famine. A commercial return in the ordinary sense was not possible and was not expected. But as against the loss on the works themselves must be set the saving of expenditure on famine relief and the indirect gains to Government referred to above.

The policy of protective construction was adopted after the great famine of 1878-9. The funds were provided, not out of loans, but out of revenue. A sum of roughly £1,000,000 was appropriated annually for "Famine Relief." In normal years when there was little or no famine it was devoted to building "Protective" works as an "insurance" against famine. If there was any balance of the grant it was spent on *productive* public works, e.g. railways. The Government of India was able *pro tanto* to reduce its borrowings for productive purposes and to this extent was in a better position

to raise money when faced by a famine crisis. Since the separation of the provincial and central budgets in 1921 the provision for famine insurance has been made in the provincial budgets but the general application of the appropriations remains substantially unchanged.

The Indo-European Telegraph Department

Attached to the Public Works Department of the India Office is the Indo-European Telegraph Department. This Department controls a network of telegraph lines running from Karachi to Persia and joining at Teheran the Indo-European Telegraph Company's line from England. The actual working of the lines is in the hands of two Directors, one at Karachi and one at Teheran; but the whole Department is in the administrative charge of a Director in Chief working in the India Office under the Secretary of State. A large part of the revenue accruing to the Government of India from the Department's telegraph system arises out of agreements with telegraph companies (the chief of which are the Indo-European Telegraph Company and the Eastern Telegraph Company) for the sharing of the proceeds of messages passing over two or more of their systems. The Director in Chief is responsible for the interests of India in the working of these agreements. The land lines controlled by the Department in Persia are worked under agreements with the Persian Government. Questions arising out of these agreements concern the Foreign Office and the Treasury as well as the Political Department of the India Office.

Chapter VIII

THE INDIAN SERVICES

THE work of the Indian Services of course lies outside the scope of this book, but the India Office —*arida nutrix leonum*—is responsible for the recruitment in this country of the officials sent out to India. The Secretary of State in Council approves the general system of their organisation and numerical strength, the scales of pay and pension, and the rules for leave and retirement. In him is vested the ultimate decision in disciplinary cases, and to him are addressed numerous memorials and petitions of individuals. While the "Provincial" (locally recruited) services are regulated in India, the framework on which they have been constructed and the scope of their functions have required sanction here. The old division of Indian civil officers into "Covenanted" and "Uncovenanted," the latter including all the higher officials outside the Indian Civil Service, is long obsolete, but perhaps needs a word of explanation. Members of the Indian Civil Service, who are appointed under a Covenant (originally with the Directors,* after 1858 with the Secretary of State in Council), have always been employed not only in the ordinary executive or

* The continued use at the India Office, for entry of particulars about newly recruited Indian Civilians, of massive "Bond Books," bearing the title "Company's Servants Abroad," is a link with the past.

judicial work of the general administration, but in more specialised appointments, but as administration became more closely organised in the early nineteenth century, it was necessary to supplement their comparatively small cadre by recruitment for special duties of men from outside. In addition to military officers employed in the Civil administration, many civilians were appointed in India outside the Covenanted Service and serving under different rules and on lower rates of pay. Young Englishmen often obtained engagements on the spot, while domiciled Europeans, and to some extent men of mixed race,* found a career in the Uncovenanted posts. But with the growth of specialisation came the necessity for separate Police, Educational, Public Works and Forests Services. A somewhat chaotic lack of classification was ended, as the result of the Public Service Commission of 1886, by the division of civil officials into three classes: "Imperial" (the Indian Civil Service and the higher grades of the specialised services), for which recruitment was made in England by the Secretary of State in Council; "Provincial" (generally speaking a lower grade in each service possessing an Imperial branch, but in some instances a distinct self-contained service) recruited in India largely and increasingly from Indians, but partly from men of European descent born or domiciled in the country; and "Subordinate," including such grades

* The term "Eurasian," considered objectionable by those to whom it was applied, has been replaced for all official purposes by "Anglo-Indian." In popular usage the latter term was of course long applied to Englishmen who lived in India.

as police constables and postal messengers. Provincial Service Officers were eligible for promotion to the Imperial Services except the Indian Civil Service, but each individual promotion requires the sanction of the Secretary of State in Council.

But the more rigid definition of the respective functions of the Government of India and the Provinces which followed the Act of 1919, cut across the classification of the Imperial Services. Services and departments whose members are permanently under the direct control of the Supreme Government were henceforth termed "Central Services"; these include the Railways, Customs, Audit and Accounts, and Military Accounts, as well as departments like the Posts and Telegraphs which were not technically "Imperial Services." The other Imperial Services were re-named the "All-India Services" (viz. the Indian Civil, Police, Indian Educational Service, Indian Service of Engineers—formerly Public Works—Forests, Agricultural and Veterinary). The Provincial Services were re-named according to their provinces; thus the style "Bombay Civil Service," once the appanage of the Covenanted Indian Civilians who served in the Bombay Presidency, now denotes the locally appointed officials, all Indians or of Indian domicile, who serve under them. While uniform basic rates of pay were laid down for the All-India Services, overseas allowances were established for officials of European domicile. A salary attractive to a man serving in his own country will not draw first-rate recruits to a life of exile.

The Covenanted Civil Service of India

Some account of the emergence of the Company's factors, merchants and writers* into the Indian Civil Service is given in all the standard histories. The scandals caused by the original plan of sending young men out to the East on a starvation wage† but with liberty to engage in private trade, were checked by Clive, Warren Hastings and Cornwallis, and an adequately paid Service with most rigid standards transformed the spirit of Indian administration. In the late eighteenth century‡ recruits for the civil and military services of the Company might be sent out at the age of 15; the mortality statistics amongst boys sent to a tropical climate in an age of hard drinking do not appear to have been examined. The first idea of a preliminary course for "writers" seems to have emanated from the Company's Factory at Canton in 1789, and resulted in a year's training in London in the niceties of the tea trade for youths destined for China. But the hands of the Directors were forced

* The term "writer" apparently originated in a request from the Factory at Surat in 1665 for "half a dozen youths of meane parentage who write good hands and shall be willing to be employed upon all occasions without murmuring." Monier-Williams, "Memorials of Old Haileybury," p. 4.

† In 1668, "apprentices" (probationers) were engaged for India on an annual pay of £5, and "writers" on £10. (Contrast the salary of £100 for the chaplain at Surat.) Of course rates were steadily and greatly enhanced, but the principle of a salary adequate for the duties and sufficient to counter the manifold temptations to corruption was forced on the Directors by Clive and Hastings.

‡ Foreign subjects were excluded from the civil and military services in 1792.

when Lord Wellesley founded in 1800 his College at Calcutta,* where very necessary instruction in literature and science as well as in Oriental languages was administered to newly arrived civilians. The necessity of specially preparing young men for an Eastern career became evident, and the Directors in 1806 established the East India College at Haileybury. Here, for the next half-century, all Indian Civil Service probationers took a two years' course of general and Oriental education. The minimum age of 15 was maintained until 1837, though of course it now meant joining in India not younger than 17, but the maximum age of entrance to the College was raised to 22, so that some of the pupils had already put in terms at Oxford or Cambridge before receiving a Director's nomination. From 1837 to 1854 probationers joined the College at 21 and went out at 23. After the latter year open competition for the Indian Civil Service was established and 1855 saw the first batch of "competition-wallahs" sent to Haileybury; but before there was any question of the abolition of the Company it was decided to allow no fresh admissions after 1856, and to close the College at the end of 1857. So ended a chapter of educational history which gave India a fine body of public servants animated by strong *esprit de corps*.†

* Few of the Bombay and Madras Civilians seem to have been sent to the Wellesley College. It became a sort of finshing school for Haileybury men, and lasted until 1854.

† From "Memorials of Old Haileybury," edited by Sir M. Monier-Williams (1884), much can be gleaned of life at the College. Some of its Professors were men of note; for example, Mr. Malthus, who taught Political Economy, and Sir James Mackintosh. Hunting

The annual prize-givings were elaborate functions attended by Directors and by the President of the Board of Control; the last of them was made notable by the speech of Mr. Ross Mangles, Chairman of the Directors (afterwards Member of the Council of India), whose son had just won the Victoria Cross by his bravery at Arrah. At a moment at which the fate of India was still in the balance and racial passion was blazing fiercely, he said: "If we are to govern India at all, we must govern it for the people of India, and, in a great measure, by their instrumentality."

The Act of 1858 placed in the hands of the Civil Service Commissioners the open competitive examination, to which all British subjects are eligible without distinction of race or domicile.* Without their certificate of intellectual, moral and physical fitness, and ability to ride, no candidate can be appointed.

The age of admission to the examination (and with it the length of probationary training) has varied between three systems, that of selecting candidates when they leave school, that of allowing time for them to have taken a University degree before competing, and a compromise which allowed

was forbidden, a rule that contrasts with the insistence of the India Office that probationers for the Indian Civil and other Services should pass a riding test before going to India.

* Rulers and subjects of Indian States have recently been made eligible, subject to certain rules of procedure. Since the War the eligibility for appointment to the Indian Services of the British-born sons of aliens has been restricted; the candidate's father must have become a British subject before the son was born and never have abjured British nationality.

boys still at, or just leaving, school, to compete against undergraduates. The third was the original plan and was continued until 1878, the minimum age being at different times 17 or 18, and the maximum 21, 22 or 23. After the closing of Haileybury, no definite arrangements were made for the further training of successful candidates until 1866, when a two years' course of special work at an approved University came into force. The wide age limits enabled a few enterprising young Indians to come to this country and succeed in the competition. But in 1878 the school-leaving age, 17 to 19, was substituted. This arrangement, which remained in force for fourteen years, undoubtedly handicapped Indian candidates. In 1892 the University age was adopted, and the period of probation cut down to one year. The minimum age has been varied between 21 and 22, and the maximum between 23 and 24; at the moment the rule is 21 to 24.*

The school-leaving age of entrance, followed by a long probation, generally unpopular with University authorities in this country, has been commended by senior Indian Civil Servants who joined

* Lord Islington's Public Services Commission recommended a return to the entrance age of 17 to 19, and the two years' probationary course, but it was decided only to lower the minimum age to 21 and to take power to require a probation of two years. The latter has been settled for candidates selected in India (under the new system described later in the text), but has not in practice been applied to candidates selected in England. Lord Lee's subsequent Commission recommended the age 21 to 24 with one year's probation. The question has not yet been finally determined.

under that system. Its adoption would certainly widen the field of selection in this country, for many boys of the type required cannot afford to wait until well over 20 for the certainty of a profession in life, or to go up to a University without the financial aid given by the probationary allowance, now £300 a year. But the policy of Indianisation of the Service, adopted since the Islington Report, really precludes any drastic change in the present system, for there is general agreement that the higher age affords in the case of Indians a far better means of selection. Again, the advantage of obtaining for the Service men who have taken an Honours course is obvious. But comparatively slight differences in the exact age mean much to different Universities. An Honours degree at Cambridge and more conspicuously at Oxford, is taken at a higher age than is the custom in Scottish and Irish and the newer English Universities.

During the War the Secretary of State had to come to Parliament for the means of preserving to men who had interrupted their education by joining the Army or Navy the possibility of entering the Indian Civil Service. He was free to make regulations for the other Indian services, but the open competition for the senior Service is prescribed by Statute. While it was maintained on a restricted scale during the War years in order to keep the door of entrance open to Indian candidates, the Act of 1915 enabled ex-Service men later on to be appointed to the Indian Civil Service (as they were to the Home Civil Service without special legislation) by the judgment of a Selection Committee after

passing a qualifying educational test based on a school-leaving standard.* The Act was subsequently, with the consent of Parliament, utilised to start the policy of increased Indianisation by nominating a certain number of candidates in India.

The actual necessity of coming to London for the Indian Civil Service examination, and the practical need of preliminary study in England, had, quite naturally, long been an Indian grievance. A resolution in favour of a simultaneous examination in India was passed by the House of Commons in 1893, but led to no action. The defence of the existing system was based on two arguments. If a predominantly British character was, as it was before 1917 assumed in England to be, essential to the higher administration of India, the restriction of entry to British youths and to the few Indians who had enjoyed the benefit of a British education, was justified by high considerations of policy. In the second place, if it were desirable to open the higher administrative ranks freely to Indians, it was far from certain that the most suitable Indians would be obtained by an examination on those lines which do on the whole succeed in obtaining first-rate officers for not only the civil services but the Army when applied to the youth of the British Islands. Neither argument was convincing to educated Indians. The experiment of the "Statutory Civil

* The Indian Civil Service was in 1917 barred to persons who had declared "conscientious objection" to military service in any part of the Empire in which conscription was in force. The motive was not penal, but precautionary; a magistrate in India must be prepared to stop a riot by using armed police or soldiers.

Service" started in 1870, had not succeeded. Under this scheme recruitment for about one-sixth of the cadre of the Covenanted Service was stopped, and Indians of good family and status were nominated to the new service. In 1889 (as a result of Sir Charles Aitchison's Public Service Commission appointed in India), the "Provincial Services" were created, and a wide avenue to public employment opened to the graduates of Indian Universities. But the Provincial Services carried a lower pay and status.

On the adoption of the policy of Indianisation a regular annual competition for the Indian Civil Service, under the supervision of the Civil Service Commissioners, was established in India in 1922, the number of posts offered depending on somewhat difficult calculations as to the recruitment of British and Indian candidates respectively in London, since Indianisation was to be progressive but gradual. The candidates selected are sent to England for two years' training at an University. But power was reserved to make by nomination,* on satisfactory evidence of education and character, one-third of the appointments filled by Indians. At the same time provision was made for the advancement of selected Provincial Service officers and for filling some of the judicial posts by Indian legal practitioners.

The Indian Police Service

The first organisation of police in India on modern

* "In order to secure to some extent representation of the various provinces and communities in India." (Government of India Home Department Resolution No. 2559, December 1st, 1920.)

lines is ascribed by Sir John Kaye to the measures taken by Sir Charles Napier in Sind, and in every province Army officers were employed to command the police force, but uncovenanted civilians were soon admitted, and about 1869 a regular system of local recruitment of superior officers was started. The highest controlling posts (Inspector-General in Provinces and Commissioners of Police in Presidency Towns) were usually held by Indian Civilians, a practice that, though not abolished, has decreased with the rise to seniority of Police officers recruited in England by an open competitive examination almost identical with that from Sandhurst. This important new departure was made in 1893, the London examination being reserved for candidates of European descent. The age of admission is 17 to 19. Ten years later the new grade of Deputy-Superintendent, ranking as "Provincial Service" posts, was created in India, Indians and other candidates who could prove Indian domicile being appointed direct, or promoted from Inspectorships. The Deputy-Superintendents rank below the Assistant Superintendents appointed from England but are eligible for promotion to the rank of Superintendent (police officer in charge of a district, comparable with Chief Constable of an English county). In 1921 examinations were instituted in India for Assistant Superintendents' posts, the candidates requiring recommendation by a Selection Committee in each province. The Indian age of admission is 21 to 23. Indians who have resided in the United Kingdom for five years—i.e. have been at school in this country—are now admitted

to the London competition. Some recruitment for what may be termed the non-commissioned ranks—sergeant or inspector—is made in India from Europeans, generally non-commissioned officers of British regiments. The probationers for the higher ranks successful at the London competition are, on passing a riding test, sent at once to India, where they receive training before joining their districts.

The Indian Forest Service

The organisation of a regular Forest Service was taken in hand soon after the Mutiny, and a competitive examination for it was opened in London in 1867. The selection and training of Forest Officers have been conducted on lines differing from those of the other Services, and the methods have varied, but the underlying principle has always been recruitment of candidates who had already received some education in natural science, and practical and theoretical training in England and on the Continent. It was recognised that France and Germany were far ahead of England in scientific forestry, and the names of Sir Dietrich Brandis and Sir William Schlich show how much the scientific conservation of Indian forests owes to officers of German descent. From 1885 to 1905 Forest probationers were sent for training to the Engineering College at Cooper's Hill, supplementing the college courses by Continental tours. The closing of the college in the latter year coincided with a breakdown in the competitive examination, which ceased to attract candidates, and ever since 1905 appointments have been made by Selection Committees. Hitherto an

Honours degree or diploma in natural science has been necessary for a candidate; the age of selection has been 19 to 22, and the course of probation two years, taken at Oxford, Cambridge, or Edinburgh University (it was for a time concentrated at Oxford), and including Continental tours. But a candidate might be accepted up to the age of 24 if he gave such evidence of a practical and theoretical knowledge of Forestry as enabled him to be sent to India without further training. Indians had been eligible for appointment in England to the Imperial, now "All-India," branch of the service, but since 1920 have been recruited in India, the successful candidates (unless already fully trained) being sent to England for their probation. It has now been decided to concentrate at Dehra Dun the training of the Indian probationers, who will be selected by competitive examination in India (one-third of the vacancies being filled by nomination), among University graduates. Provincial officers may be promoted to the higher branch. The Forest Service in its higher grades is an All-India Service, but as Forests have been transferred to the control of Ministers in Bombay and Burma, the Secretary of State has ceased to recruit officers for those two provinces, and their selection and training will be arranged by the Provincial Governments.

The continued development of the forests is of great economic importance to India, and the greatly accelerated Indianisation of that Service, now decided, may be attended with some difficulty, because the life, entailing constant physical activity, hardships, and solitude in wild and remote districts,

set off by unequalled opportunities for sport and natural history, appeals more strongly to British public schoolboys than to most Indian University graduates.

The Public Works Department (Indian Service of Engineers)

The necessity of good roads and of irrigation canals in India was of course recognised before the era of railway construction, and by 1845 uncovenanted civilians were being employed to work with the Army officers to whose civil activities India owes so much.* In 1847 the engineering college at Rurki was opened, and some civil engineers of mature age were sent out from England in 1854 and again in 1859. It was then decided to establish regular recruitment in England for young engineers, and competitive examination was employed until the foundation in 1871 of the Royal Indian Engineering College at Cooper's Hill. For thirty-four years probationers for the Railways and Public Works were trained there, together with Forest probationers (after 1885). The age of admission to the College was 17 to 21, and the course lasted three years. But the development of engineering education in this country, and the necessity of supplementing from outside the recruits that the College could provide, led to the decision to close it, and

* The "Public Works" were originally under the Military Board in India, and were transferred to civil control in 1851. (Military Works were resumed by the Military Department in 1881.) Royal Engineer Officers are still employed on the Indian Railways and Public Works, as well as in the Survey and Mint departments.

so to abolish the last of the three training colleges for India, in 1905. A larger field of selection was provided by trained engineers between the ages of 21 and 24 (the standard henceforth adopted) seeking permanent employment than had in recent years been secured by requiring boys of 18 to elect definitely for an engineering career in India. Candidates, who must possess a recognised degree or diploma in engineering and at least one year's practical experience, are chosen by a selection committee on which engineering experts from outside the office serve.

In 1892 a "Provincial" branch was formed, to include future entrants from Rurki and the other engineering colleges in India, though a number of Indians (some of whom had certainly no higher professional qualifications) were appointed in England to the Imperial Service. The recent reorganisation has made the higher posts in the Irrigation side of the Indian Service of Engineers an All-India Service, but Roads and Buildings have become Provincial transferred subjects, and for this branch the Secretary of State will no longer recruit. The State Railways and the Telegraph and Wireless engineering departments are now "Central Services" and the extent of their recruitment in England by the Secretary of State will depend on the decisions of the Government of India as to the number of engineers to be recruited in each of the two countries.

The Education and Scientific Services

Something will be said in a later chapter of the work of the several scientific services of India. While their organisation and conditions of service have required the sanction of the Secretary of State in Council, recruitment in England has, for most of them, been sporadic (since the higher staffs are very small), and has been conducted by the India Office from time to time with the aid of expert advice. The Meteorological Service, the Mint and Assay, Mines, and Archæological Departments, the Survey of India, Geological and Zoological Survey, are now Central Services of the Government of India. The Agricultural Service, whose institute at Pusa has earned international fame, fell within the "All-India" classification, as did the Veterinary Service. But the recent decision has transferred future recruitment for these to the Provincial Governments.

The same fate has befallen the Indian Educational Service as a whole, though the Chiefs' Colleges* remain under the Political Department of the Government of India, and the special schools for Europeans are administered by the Reserved side of the Provincial Governments. But until now the India Office has been very closely concerned with recruitment for the Indian Educational Service, while changes in University organisation and the

* The Mayo college at Ajmer, Aitchison College at Lahore, Daly College at Indore (in the Maharaja Holkar's territory) and Rajkumar College at Rajkot in Kathiawar, provide for the sons of Ruling Princes and Chiefs and the hereditary nobles of British India, education—*mutatis mutandis*—on the general lines of English public schools.

development of educational policy generally have taken an important place in the work of the Secretary of State in Council.

Government educational appointments in India were filled by unsystematic methods until the classification of 1889 sharply separated the "Indian Educational" from the "Provincial" Service. Thenceforth the Secretary of State recruited professors for Government colleges, inspectors of schools, and less often, headmasters of Government secondary schools; also a few inspectresses of girls' schools and teachers for women's colleges, who formed the Women's Branch of the Indian Educational Service. Recruitment was interesting but difficult, and difficult for more than one reason. Instead of a regular annual recruitment, as for the Indian Civil or the Forests, it was possible only to offer individual posts, generally of a highly specialised character, as actual vacancies occurred. An irregular demand naturally meets with a fluctuating supply. In the second place, the intellectual standard required was as high as that for the Indian Civil Service, but the pay and prospects, though comparing very favourably with those of the teaching profession here, were by no means so good. A young Englishman who wished for an official career in India was likely to prefer the administration of a district to the exposition to Indian pupils of the niceties of Keats or Shelley, unless possessed by a fervent passion for instructing the young. The appointment of Indians to the "Imperial" branch was complicated by the position of Provincial Service officers, some of whom had British Uni-

versity qualifications. The policy of Government was for some years opposed to transfers from the lower paid branch to the higher; it was not admitted that they would be "promotions," for the theory about this particular service was that the two branches were co-ordinate. The system of Overseas Allowances to officials with European domicile supplies the only really fair means of discrimination in pay. The old plan of attaching an additional financial value to a British degree or diploma, if its holder managed to secure appointment from the Secretary of State, was unjust both to Indians who could not afford to come to England and to some who had done well at English Universities. The promotion of a number of selected Provincial officers to the Indian Educational Service, before recruitment for that was closed, redressed a very real grievance.

Recruitment for the Indian Educational Service was for some years conducted at the India Office by interviews, with the help of expert advice for the more technical posts, but about twenty years ago the Special Inquiries section of the Board of Education, which is often asked to select men for Colonial appointments, agreed to co-operate, and set up a special selection committee to interview candidates. It is unlikely now that the Secretary of State will make any further educational appointments in India, unless to masterships at Chiefs' Colleges.

Other Services

Besides finding men occasionally for widely miscellaneous posts, ranging from experts in weaving or

dyeing to European gardeners, from architects to superintendents of printing, from specialists in office organisation to mechanical foremen, the India Office has recruited for four other regular services—the Imperial Customs Service, the Indian Audit and Accounts Department (formerly known as the Enrolled List of the Government of India Finance Department), the Military Accounts Department, and the Bengal Pilots' Service. The last-named owes its existence to the dangerous navigation of the Hooghly, which demands fine seamanship and nerve; recruitment for it will still be made in this country, but henceforth by the High Commissioner on behalf of the Bengal Government. The three former are now "Central Services"; the Audit and Accounts will be entirely recruited in India, but for the Customs and the Military Accounts the Secretary of State will continue to make appointments in England from time to time. Some important departments of Government have always been recruited in India, for example the Opium, Salt, Excise, Income-Tax, and Posts and Telegraphs, but officers of the Indian Civil or some other Imperial Service have generally presided over them.

The Secretary of State and the Services

The fundamental changes of 1919 made it essential to reconsider the position of the Services, for the general purpose of the Act in its application to the Provinces was to delimit a special field of Indian administration in which the Secretary of State should divest himself of authority. The Act provided that the pay of the All-India Services should

not be subject to the vote of the legislatures, and further entrusted to the Secretary of State in Council the duty of making statutory rules under the Act to regulate *inter alia* the conditions of service, pay and allowances of the civil services generally. He may delegate such power to the Governor-General in Council or to Provincial governments; but he has in fact made no delegation affecting the All-India Services. An important general section of the Act provided that no officer could be dismissed the service by any authority subordinate to that which appointed him, so that officers of the All-India Services cannot be dismissed by any authority in India.

Further safeguards were provided in statutory rules under the Act. No order affecting their emoluments or pensions, and no order of formal censure can be passed to the disadvantage of officers of an All-India (or a provincial) service, without the personal concurrence of the Governor; and in his "Instrument of Instructions" the Governor is specially charged to safeguard the members of the service in the enjoyment of their recognised rights and privileges and to see that all things are ordered justly and reasonably in their regard. Finally, in the statutory rule in which the Secretary of State divested himself of control over transferred subjects he reserved *inter alia* his power of safeguarding the exercise of the powers conferred on him by the Act in relation to the Services.

But to the natural uneasiness of the Services at the passing of the old order was added acute discontent with their pay. Lord Islington's

Commission, which had thoroughly examined their emoluments, reported in 1915, but the War intervened and no action was taken until 1919, when the pay of all the Services was revised. Unfortunately a disastrous fall in the exchange value of the rupee falsified the basis on which the new pay scales had been constructed, and that at a time when educational charges and the cost of living in this country were far above the pre-war standard. These adverse conditions combined to produce a demand for an opportunity to terminate service prematurely on a proportionate pension if officers felt the conditions to be so fundamentally changed that further service should not be required and was not likely to conduce to the smooth working of the new constitution. A concession on the lines asked for was given* and many officers left India. Their loss was the more serious because the supply of British recruits for the Services began to fall.

A Royal Commission was appointed in 1923 under the Chairmanship of Lord Lee of Fareham to report on Service Conditions, financial or otherwise, on the possibility of substituting provincial services for All-India Services, and on the proportions in which Indians and Europeans should be recruited. Its main recommendations have been accepted in substance and implemented by a further Act of 1925.

No further appointments will be made to the All-India Services employed in the Transferred field. The provincial governments, i.e. the Governor

* The Parliamentary Joint Committee recommended this concession for officers for whom an equivalent career could not be provided elsewhere by Government.

acting with his Ministers, will recruit the personnel required for the work hitherto done by the Educational and other services. But existing members retain the position they have held since 1920, serving under Ministers but enjoying all the safeguards provided by the Act, and the rules made under it for officers appointed by the Secretary of State in Council.

For services employed on the Reserved Side recruits will be appointed as hitherto by the Secretary of State in Council with all the rights implied in such appointment. The principal services of this class are the Indian Civil Service and the Police. But the proportion of Indian to European recruits in these services is to be increased so as to secure that the composition of the services, as a whole, will be half European and half Indian in fifteen years for the Indian Civil Service, and in twenty-five years for the Police.

A permanent Public Service Commission will be set up at once in India. Its members, appointed for a fixed term of years by the Secretary of State in Council, will be concerned with recruitment in India for the Services and with disciplinary control and with complaints of unfair treatment.

Material improvements have been made in the emoluments of the All-India Services and in the pensions of all of them, except the Indian Civil Service which received and still receives a higher pension than the rest.* The pay of the Services is

* It had recently received an appreciable concession in the funding for the benefit of officers of the contribution for pensionary purposes deducted from pay. An Indian Civilian of long service before this had received a pension that was much higher than that of other Indian officials, but had in fact himself paid a large proportion of it.

fixed in rupees and the main concession made allows a certain proportion to be drawn in sterling in this country at 2*s*. the rupee, a very favourable rate of exchange. The advantage, particularly to officers with families in this country, is substantial.

Pay had always been fixed at a rate held by financial authorities to be sufficient to enable the officer to defray the cost of passages for himself and his family to and from this country when he comes home on leave. This comfortable theory had ceased to fit the facts, and, in addition to the increases in actual pay, Government has undertaken to provide four return passages for the officer and his wife (and a single passage for each child) during a normal term of service.

It has also been decided in principle that British officers and their families shall be secured medical treatment by British doctors, but the means of satisfying this principle is still under consideration. Much turns on the decision to be taken in regard to the future of the medical services in India and, in particular, of the Indian Medical Service, which has hitherto supplied, through the civil surgeons employed by the provincial governments, the staff required for the medical care of the Services and their families.

Chapter IX

JUDICIAL—ECCLESIASTICAL

Judicial

The present higher Judicial system of British India dates from 1862, when, under the Indian High Courts Act 1861 (24 and 25 Vict. c. 104), Her Majesty established by Letters Patent High Courts of Judicature at Calcutta, Madras and Bombay. This Act, by amalgamating the "Supreme Courts" founded under Royal Charter, with the "Sadr Adalat" Courts established by the Company, brought to an end a complicated series of arrangements for the administration of justice. Something has been said in an earlier chapter about the enactment of laws for British India. The history of the courts is far too tortuous a subject to be discussed here, but it must be briefly noticed as illustrating the intervention of the Home Government in Indian affairs.*

Englishmen in India were controlled by the laws

* Sir C. Ilbert's "Government of India," 3rd edition, 1915, contains a summary of the history. As a description from the lay point of view of the conditions in Bengal produced by the early enthusiasms of the Supreme Court Judges, whom he calls "ermined interlopers" Kaye's "Administration of the East India Company," 1853, pp. 329-332, will repay perusal. Sir John Kaye (pp. 333-351) also gives an interesting account of the Company's courts and the origins of the judicial side of the Indian Civil Service.

of England, but the employment of Indians by the Company, and the settlement of Indian traders and peasants round the early factories, produced a problem that became much more difficult when the Company began to govern large tracts of territory. Outside the early settlements Muhammadan criminal law was in force, but Muhammadan rulers had not interfered with the customs and arrangements of the Hindus in such matters as marriage and inheritance. The British had no desire to meddle with Indian customs based on religious sanctions; it took seventy years from our firm establishment in Bengal to decide on prohibiting sati (the burning alive of Hindu widows). In the "plan" which Warren Hastings drew up in 1772 it was declared that "in all suits regarding marriage, inheritance, and caste, and other religious usages and institutions, the laws of the Koran with regard to Muhammadans and those of the Shaster with respect to Gentus shall be invariably adhered to"; and the courts of justice established by the Company under its own officers invoked the aid of Maulvis and Brahmins to advise on Muhammadan and Hindu law. Thus Indians came to be employed on responsible judicial work long before any considerable executive authority was put into their hands, and the practice was established (it is still in force wherever the jury system is not yet adopted) of appointing Indian assessors in criminal cases to advise the judge. The criminal law, outside the Presidency towns, was the Muhammadan law tempered by British regulations, and this system was not finally abolished until the Indian Penal Code was enacted in 1860.

It is not always understood that, as regards many of the most important affairs of human life, there is not in India (in contrast to European countries and the British Dominions) any uniform territorial law. The Hindu, the Muhammadan, the Parsi, and the member of some smaller but distinct communities, is governed by his own law or custom of marriage, of divorce (in the Moslem system), and of inheritance. Property may descend under entirely different principles according to the faith or race of its owner.

But the establishment under the Act of 1773 of the chartered Supreme Court at Calcutta,* in which Judges appointed by the Crown administered the law of England to all persons coming within their jurisdiction complicated the attempts of the local authorities to evolve an equitable combination of Eastern and Western jurisprudence.† English criminal law came to India before the humanitarian reforms of the early nineteenth century, and visited some offences more severely than the drastic Muhammadan code. An amending Act of 1781 somewhat curtailed the pretensions of the Supreme Court, but Warren Hastings' measure, which would have ended the conflict of jurisdiction by conferring on the Chief Justice the presidency of the Company's highest court, was upset as making that dignitary

* Recorders' Courts at Madras and Bombay followed in 1797; they became Supreme Courts in 1801 and 1823.

† "The problem was to simplify the general law and procedure, and to enact large principles of law and morality, with the least possible disturbance of the practices, prejudices, and organic institutions of Indian society." (Sir Alfred Lyall, "British Dominion in India," 5th edition, p. 382.)

pecuniarily dependent, in part, on the authorities whom he was intended to curb. The tradition of hostility between the judiciary and the Government took firm root in Calcutta and lived long. Meanwhile the Governor-General in Council found it necessary to exercise steadily increasing control over the subordinate criminal courts: it was found impossible to leave the Kazis unchecked. To the arrangements made, and unmade, for the conduct of revenue and judicial work by the Company's civilians the vexed question of the separation of judicial and executive functions owes its origin.

The Act of 1858 did not disturb existing judicial arrangements, but that of 1861 established three High Courts of judges appointed by the Crown, who technically held office "during pleasure," and of whom one-third must be barristers of England or Ireland, or advocates of Scotland of five years' standing, and one-third officers of the Indian Civil Service of ten years' standing who have had at least three years' experience as district judges. The qualifications for the other members of a High Court bench are now either five years' judicial office in a status not inferior to that of a "subordinate judge" or a judge of a small cause court, or ten years' practice as a pleader of a High Court.

Besides the Calcutta, Madras and Bombay Courts of 1862, chartered High Courts have now been established at Allahabad, Patna, Lahore and Rangoon. But for most purposes under Indian law the term "high court" embraces not only these but two other classes of courts, Chief Courts and Judicial Commissioners' Courts. From a lay point of view

the most notable distinction between a Chartered High Court and a Chief Court (a stage through which the Lahore and Rangoon High Courts have passed) is that the judges of the latter are appointed by the authorities in India, not by the Crown, and that their salaries and precedence are lower.

The Secretary of State advises His Majesty as to the appointment of individuals to High Court benches, and the Secretary of State in Council fixes the salaries, pensions, and leave-rules of the judges. Thus from time to time the India Office is closely concerned with judicial matters. Occasionally the attention of Parliament is directed to questions that arise out of Indian trials. Indian criminal law provides very great facilities of appeal, and no death sentence passed by a sessions judge can be executed until confirmed by the high court of the province. A person convicted in India gets far more latitude than his fellow unfortunate in England, for the High Court can deal by way of revision with any sentence passed by a court subordinate to it, and on its appeal side it considers the facts as well as points of law. Apart from the right of appeal, the convict can address a petition for mercy to the Provincial Government, which has power to remit any sentence (though not technically to grant Pardon), and from that Government's decision to the Governor-General in Council, and still further to the King. And there is a third resource: he can apply to the Judicial Committee of the Privy Council for leave to appeal against his conviction. That tribunal, which includes retired Indian Judges, and constantly hears difficult civil appeals from

India (sometimes of a nature wildly unfamiliar to Western courts, since the idol in a Hindu temple may hold property and engage in litigation through its lawful guardians) has made it clear that it is not a court of criminal appeal. But since in one case it quashed a death sentence passed by an Indian High Court on the ground that there had been a miscarriage of justice, a very large number of persons sentenced to death in India do present petitions for leave to appeal.

There is no supreme court for all India: the several High Courts have sometimes differed from each other, or from the highest authorities at home, notably on the question whether the Indian Divorce Act empowered an Indian Court to divorce persons domiciled in the United Kingdom. Hence difficult questions as to the possibility or desirability of introducing into Parliament legislation to resolve such doubts must sometimes be discussed between the India Office and the Government of India. The Secretary of State is furnished with a Legal Adviser, always a retired Judge of an Indian High Court, who (rather paradoxically for a retired judge) is also described as his Solicitor. He arranges for the briefing of counsel in cases to which the Secretary of State in Council is a party. Departmentally he is called on for advice of the most multifarious kind, sometimes on points of shipping law, on contracts with Indian railway companies, or on the precise form of an agreement with a newly recruited official or of the bond to be taken from a surety.

Ecclesiastical

The religious neutrality of the British Government in India has been so constantly proclaimed and so steadily observed that ecclesiastical matters might be supposed not to concern the India Office. But Part X of the Government of India Act (Sections 11 to 123) regulates the jurisdiction of (certain) bishops of the Church of England in India, provides for their salaries and those of their archdeacons, sanctions the establishment of chaplains of the Church of Scotland, and enables grants to be made to any other sect, persuasion, or community of Christians for the purpose of instruction or for the maintenance of places of worship. The explanation is that the East India Company, though after the establishment of territorial administration abstaining from any attempt to convert the peoples of India to Christianity, always recognised an obligation, which the Secretary of State has inherited, to provide religious ministration for its own European servants in the East.

The history of the connection of State and Church in India may be said to begin with the mission of Sir Thomas Roe to Jehangir in 1615. King James's Ambassador was accompanied by a chaplain, on whose death he requested the despatch of another, for "Here I cannot live the life of an Atheist." But in 1614 the Company was supporting a chaplain at its Surat factory, to whom it paid the salary of £100 a year. In 1658 the Company, still a mere trading Corporation, and no doubt anxious to obtain a character for respectability, informed the

English Universities that it "has resolved to endeavour the advance and spreading of the Gospel in India." But the assumption of territorial responsibility convinced the Directors that they were not cut out for the career of Crusaders, and considerations at first of prudence and later on of religious toleration led to a deliberate dissociation of the temporal power from missionary effort. The Company has, in fact, been criticised for its alleged hostility to Christian missionaries, some of whom at the end of the eighteenth century had to find their homes in Danish territory in order to work freely. But the opinion of recent historians seems generally to be that the Directors were more friendly to religion than had been supposed. In the Charter granted to the "New" Company in 1698, it was laid down that no ship of over 500 tons should go to the East without a chaplain, and the injunction was repeated in the Charter given to the United Company in 1708. Under the 1708 Charter it was ordered that a minister and a schoolmaster should be maintained in every garrison, while all East Indian chaplains were to be approved by the Archbishop of Canterbury or the Bishop of London, who had licensed a chaplain for India as early as 1685. Two centuries ago Indian chaplains were obliged to face more rigorous linguistic tests than now: they were required to learn Portuguese within a year of arrival and also to "apply themselves to learn the native language of the country where they shall reside." The crop of controversial pamphlets that sprang up about 1858 includes eloquent expositions, from Englishmen who knew India, of the diverse

convictions that the Mutiny was a Divine judgment on the British nation for the failure of its Government to attempt the conversion of Hindus and Moslems, and that it was the inevitable result of our interfering with Indian religious customs.

However this may be, by the end of the eighteenth century the Evangelical movement in England, stimulated by the description of Indian life given in such books as Mrs. Sherwood's "Little Henry and his Bearer," led to pressure on the Company with a view to putting ecclesiastical arrangements in India on a proper basis, and when the Charter was renewed in 1813, the English Church establishment in India was, by what were known as "the pious clauses" of the Act, placed under the superintendence of a bishop and three archdeacons, and adequate provision made for their maintenance from the territorial revenues of India. In 1814 letters patent were issued constituting British India into a Bishop's See, the Bishopric of Calcutta, to be subject and subordinate (with certain specified exceptions as to appeals) to the Archiepiscopal See of Canterbury. Archdeacons, to be commissaries of the Bishop, were established at each of the three Presidency towns. At the same time the Company undertook to maintain two Presbyterian chaplains of the Established Church of Scotland in each Presidency. This statutory minimum of six has in practice been doubled. The ecclesiastical function of the Bishop of Calcutta originally extended not only to Ceylon, but to the Cape of Good Hope and Australia. The Madras bishopric was

constituted in 1835, that of Bombay in 1837, and that of Colombo in 1845.

Thus the somewhat lax arrangements that had existed in the eighteenth century* were reformed. Early chaplains of the Company had on occasion not only show a disposition to engage in trade, but had fallen under suspicion of the even more heinous offence of trafficking with "interlopers." One of the fraternity, the Rev. Robert Palk, developed a *flair* for diplomacy in the Company's business with Indian rulers: a talent which at first scandalised the Directors, but ultimately led to their making him Governor of Madras, so that his name is perpetuated in the straits between India and Ceylon, surveyed under his instructions.

The regular quartering of British troops in India of course enhanced the need for chaplains. The Government of India under the Crown succeeded to the direct and obvious duty of providing for the spiritual needs of the British troops, but how far there is an acknowledged obligation upon Government to provide clergy for its civil employés is a question that cannot be answered so definitely. The clergymen on the State establishment are described in the Government of India Act as "military chaplains," but they are assigned to stations, not to regiments. Government has built many churches, and made grants for upkeep. The consecration for Anglican use exclusively of certain churches built by Government produced, some twenty years ago, an unpleasant controversy. The needs of British

* See "The History of the Church of England in India" by the Right Rev. Eyre Chatterton, Bishop of Nagpur (1924).

soldiers who are neither Anglicans nor Presbyterians are met by a system of capitation grants to Roman Catholic priests and Wesleyan ministers.

The Church of England in India has expanded so greatly that the cadre of Government chaplains is inadequate to meet the needs even of official congregations, and is reinforced by the Additional Clergy Society, with some aid from Government. There are only three "Statutory Bishops," but the creation of new sees was aided by the assignment of senior chaplains' salaries to the Bishops of Lahore and Rangoon (1877), Lucknow (1893) and Nagpur (1903), the balance of their stipends being met by private voluntary contributions and benefactions.

The growth of missionary enterprise has resulted in the formation of many Anglican congregations outside the sphere of Government concern: Government chaplains, appointed and paid by the State, minister only to European congregations. The Bishops, therefore, are in control of two distinct classes of clergy, the Government chaplains and the Anglican missionaries. Several of the Bishops, for instance, the Bishop in (not "of") Tinnevelly and Madura, draw no stipend from Government and exercise no jurisdiction over Government chaplains. The number of Anglican clergy in India has risen from about forty in 1815 to the present figure of about 1,000, of whom not much more than one-tenth are Government chaplains. Roughly one-third of the total number are themselves Indians. In 1912 an Indian clergyman was consecrated bishop of the new missionary see of Dornakal. How far the ecclesiastical law of England extends to India

is a question of great difficulty and complexity: the Church of England is certainly not "established" in India, and yet its bishops are appointed under Letters Patent, seven of them appointed by the Crown on the recommendation of the Secretary of State, and three of them receive stipends provided by Act of Parliament. There has been little objection in the past on the part of Indians to the payment by the State of ministers of the Christian religion employed to provide for its European servants. Religion is deeply interwoven into the mind and character of Indians, who think it right that a man should not be ashamed of his faith, and recognise that the British Government has carefully protected the temple endowments of Hinduism and the pious foundations of Moslems. But the Government grants in aid to Christian missionary schools for the secular instruction that they give to any Indian children who choose to attend have aroused criticism, and it seems probable that a "conscience clause" may be a necessary condition of financial help from the State.

The position of the Church of England in India is, as must be apparent, full of anomalies. It has not that autonomy possessed by its sister branches in Dominions like Australia or South Africa or foreign countries like Japan. The Metropolitan (the Bishop of Calcutta) is at the head of the twelve bishops of the ecclesiastical Province of India and Ceylon, but that Province is in some respects under the direct control of Canterbury, and cannot legally form a duly constituted Synod. The State connection may come to present great difficulties in a country, in which

Christians are a mere fraction of the population, developing constitutionally towards responsible government. The aim of the projected "Church Measure" on which the Anglican bishops in India are agreed is twofold: to sever the connection with the State and to obtain ecclesiastical autonomy. Such a step would necessitate the consent of the parent Church in England, and, as involving some modification of the Government of India Act, the sanction of Parliament. While the destinies of an Anglican "Church of India" must ultimately fall into Indian hands, the British authorities must retain the duty of maintaining for British soldiers religious ministrations identical with those provided for them in England. It is natural enough that English lay opinion in India is not unanimous on the question.

The "ecclesiastical" work of the India Office, however, does not normally rise into such difficult regions: it is concerned with the formalities connected with the appointment of bishops, the regular recruitment of Anglicans and Presbyterians to fill vacancies in the chaplains' establishments, and the administration of the pay, leave and pension rules. The Secretaries of State used to select the Anglican chaplains, but Lord Morley delegated the duty to the Council, which has entrusted the scrutiny of candidates' claims to a special non-official Selection Committee with joint lay and clerical membership appointed by the Archbishop of Canterbury. The Church of Scotland itself, in its presbytery of Edinburgh, selects the chaplains for the Indian service, whose appointment is confirmed by the Secretary of State in Council.

Chapter X

THE POLITICAL DEPARTMENT

Indian Foreign Affairs—The Frontiers—The Indian States—The Indian Political Department—The Political A.D.C. to the Secretary of State—The Order of the Star of India—The Indian Warrant of Precedence

The Political and Secret Department of the India Office has inherited the functions of the old Secret Committee of the India House. The natural division of Indian "political" business into "external" and "internal," the latter meaning relations with the Indian States, provides it with two quite distinct spheres of work.

Foreign Affairs

France and Portugal retain possessions on the mainland of India, and our external neighbours are Persia, Afghanistan, China (both on the Kashmir and the Burma frontiers), Nepal, Tibet, France (in Indo-China), and Siam. Aden being an integral part of India (the internal administration is still Indian though political matters are now controlled by the Colonial Office) Turkish and Indian territory were co-terminous before the War. As the Yemen is now entirely independent India is no longer in direct contact with Turkey. In earlier days British influence in Muscat—for the waters of the

Persian Gulf have been long policed by our authorities—gave India an interest in Zanzibar, then an overseas possession of the Sultans of Muscat, while when we first went to Somaliland we made it a political suburb of Aden, though its control was subsequently made over to the Foreign Office, who in turn transferred it to the Colonial Office.

While inland Asiatic countries like Afghanistan and Tibet could hardly have come into contact with the British Empire at all but for our possession of India, and our policy towards Persia is necessarily influenced by Indian interests, the course of events must in any case have brought about diplomatic intercourse with China and Siam. Questions connected with India have in modern times played a minor part in our relations with France, but Anglo-Russian relations have been profoundly influenced by the steady if unavoidable expansion towards each other of the Asiatic territories of the two Powers. While the British Foreign Office very rightly can never forget that the King rules over a considerable proportion of the Moslems of the world, the Government of India has direct responsibility for seventy millions of them. Thus the India Office and the Foreign Office necessarily keep in very close touch with regard to Russia, Turkey and Persia, but the peculiar importance of Turkey, until Mustafa Kemal abolished the Ottoman Caliphate as well as the Sultanate, lay in the fact that the vast majority of Indian Muhammadans regarded the Sultan as the Caliph of the Islamic world. The Afghan War of 1879 was undertaken to prevent the establishment of Russian predominance at

Kabul, and the conquest of Burma in 1885 was forced upon us by King Theebaw's determination to play off against each other his British and his French neighbours. It is interesting to find S Alfred Lyall* writing to Lord Curzon nearly thirt years ago:—

"The foreign relations of India are regulated a kind of unwritten Monroe Doctrine. I me that we maintain over all the countries immediate adjacent the policy of allowing no intervention by other European nations, and the predominance of no influence except our own. It is this necessary attitude that gives us incessant occupation abroad in Asia, and brings us into continual contact or collision with European rivals."

Yet England has never waged war against any European Power on account of India; even the local contests with the French in the eighteenth century were episodes in the War of the Austrian Succession and the Seven Years' War, though it is probable that the rivalry of the two nations in India could not have been settled peaceably even had there existed no *casus belli* in other parts of the world. But the picture of an India surrounded by spheres of British interest into which no other European influence can safely be allowed to penetrate is now completely out of date. A weak

* Sir Mortimer Durand: "Life of Sir Alfred Lyall," p. 398. Chapter xviii of Sir Alfred Lyall's "Rise and Expansion of British Dominion in India" (5th edition, 1910) contains the best survey of Indian Foreign Policy, but it was written before the Anglo-Russian Convention of 1907, and the complete independence in external relations obtained by Afghanistan in 1919 has further altered the conditions.

"Buffer" State may be a positive source of danger, for the policy of a State too weak to be really independent towards powerful neighbours must be capricious. It can confidently be said, therefore, that in our Asiatic foreign policy our cardinal objects are that countries like Persia and Afghanistan should be stable, strong and friendly. The same purpose has long dominated our Chinese policy. The contact of the Indian and Chinese Empires in difficult mountainous regions inhabited by wild tribes (as on the Burma-Yunnan border) may occasionally produce frontier "incidents," but British policy in China rests mainly on British commercial and economic interests. But Sir Alfred Lyall's dictum holds good of territories which form no part of any organised Asiatic state, such as the principalities of Chitral, Hunza and Nagar, and the Pathan tribal country outside the sphere of direct British administration. The independent tribal territory on the North-West Frontier presents the paradox of considerable fighting forces without any fixed system of internal government.

The Frontiers

Many books have been written about the North-West Frontier, and the most conflicting views on frontier policy have been urged by Indian administrators as the result of long personal experience. Lord Curzon, pursuing a plan suggested by Lord Lytton, separated the North-West Frontier Province from the Punjab, and brought the territories under the direct control of the Foreign Department of the Government of India, exercised through a Chief

Commissioner at Peshawar. The financial burden of India's military defence is mainly due to the conditions of the North-West Frontier. An enormous mass of detailed information comes regularly to the India Office on frontier affairs, not only from the north-west, but from the less known regions of India's north-east frontier, where far more primitive tribes, like Nagas and Abors find their immemorial customs of head-hunting and slave-raiding increasingly difficult under the stress of modern conditions. Important questions of frontier policy are of course submitted by the Government of India to the Secretary of State. Thus his Political Department is concerned with *welt-politik*,* so far as India is affected thereby, with questions of frontier administration and the regulation of our tribal policy, and more indirectly, with the relations of the Government of India to the Indian Ruling Princes. The actual control of Anglo-Afghan relations has been transferred to the Foreign Office, which, in close consultation with the India Office, issues instructions to the British Minister at Kabul and discusses current questions with the Afghan Minister in London, for the Government of India is intimately concerned with British relations towards the independent kingdom on its border.

* The Political Department of the India Office does not handle the work occasioned by India's membership of the League of Nations and co-operation in international conferences on economic or labour questions, or the problems arising from the emigration of Indians to other parts of the Empire or to foreign countries. These matters are treated in the Economic and Overseas Department, which also, in co-operation with the Foreign Office, advises on questions connected with the position in India of aliens, including Christian missionaries of foreign nationality.

While Afghanistan has now complete freedom of political intercourse with the rest of the world and receives at Kabul diplomatic representatives of the European Powers, the Government of India is for international purposes in complete control of the Indian States within the Empire.

The Indian States.

It is not always realised that about one-third of the area of India, containing over one-fifth of the total population, is ruled by Indian Princes or Chiefs, who owe allegiance to their Suzerain the King-Emperor. More than seventy million Indians are in law not British subjects. The position of the States, from the point of view of political science, is one for which no really close parallel can be found in the history of the world, nor is it possible to lay down any single formula which would accurately express the relations of all the States (over six hundred in number) to the Paramount Power. The British Crown has inherited the prerogatives of the Mogul Emperors, but the actual relations of the British with many of the existing States were formed after the decay of Mogul authority. The degree of autonomy of the rulers varies from a condition of internal independence (subject to the right of the Paramount Power to intervene in case of gross misgovernment or of domestic anarchy) to a status, in the case of minor chiefships, comparable to that of the feudal subordinates of mediæval Kings in Europe. The relations between the several States and the Government of India are defined in a vast series of individual treaties (bi-lateral

agreements) and Sanads (grants of authority or privileges by the Paramount Power). As the late Sir William Lee-Warner wrote*: "The tie which unites the Native States, various in their size and several conditions, with the British Government, is not strengthened by law or by the support of any federal courts. No supreme assembly defines or registers changes in the character of their political intercourse. Such privileges as have been declared have resulted from particular conflicts arising out of their own environment of circumstances, and they are not to be found collected together in any manual that bears the stamp of authority." The term "conflict" hardly covers the whole ground, for though it is true that the declaration of privileges, either in strict law or in executive practice, often arises out of the settlement of a dispute, there are many cases in which novel contingencies have given rise to a difficulty that has been solved by voluntary agreement.

Lee-Warner, whose book remains the most comprehensive study of the Indian States, though very important developments have taken place in the fifteen years since its last edition was published, divides their history as regards relations with the British into three periods: Non-intervention up to 1813, a policy of keeping them in "subordinate isolation" from 1814 to 1857, and since the Mutiny a progress towards closer union between British India and the States, subject to the Ruler's rights in domestic affairs. The close of the second period

* "The Native States of India," by Sir William Lee-Warner, 1910, p. 7.

was marked by the occasional adoption of two principles which alarmed the Rulers—the doctrine that in the case of States which owed their preservation to British intervention a "Gadi" left without heirs lapsed to the British Government, and the assertion of a right to annex a State in case of gross misgovernment. These two principles were definitely abandoned when the Crown took over India. The right of adoption of an heir by Hindu rulers with the sanction of the Crown, was recognised, special Sanads being issued by Lord Canning. The preservation of any Hindu ruling house can no longer be regarded as dependent on the accident of the continuance of the direct male line: on the failure of natural heirs any succession that is valid under Hindu law may be recognised. A similar guarantee was given to Muhammadan States: succession valid by Muhammadan law (which does not admit the Hindu system of adoption) is recognised. Difficult questions still arise, since the Muhammadan law of succession is founded on a principle of division of the estate amongst the kin that cannot be applied to a political entity, and the customs of Moslem dynasties have not been uniform. But the important point is that the preservation of the State is assured.

Equally important is the principle of policy which preserves a State if it has been necessary to depose the Ruler. The crimes or misdemeanours of an individual are not allowed to destroy the political rights of his house or to obliterate the separate existence of his State. Long before the departure from this principle marked by the annexation of

Oudh, Mysore, when conquered from the Muhammadan soldiers of fortune who had seized it, had been not annexed but restored to its old Hindu dynasty; and when Lord William Bentinck found it necessary to remove the Hindu Maharaja for misconduct and to take over the administration of his territories in order to secure decent government, the State was not incorporated in British India but held in trust for its native line. To their direct rule it was restored half a century later by Lord Ripon. The "rendition" of Mysore was a political event of the first importance. So far have we moved from the complacent doctrine that British rule, being better than any indigenous system, ought to be extended when events placed at our disposal the territory of an Indian ruler, that in 1910 the Maharaja of Benares, the position of whose house had long been that of great landholders in British territory, was re-established as a Ruling Prince.

The staunch support given to the British by the Rulers of Indian States in the Mutiny, even when in some cases their soldiers or subjects had joined our enemies, inaugurated a fresh era, and the direct intervention of the Crown in the Government of India introduced a new relationship between the States and the British Empire, which has been fostered by the visits to India of His present Majesty and of four other members of our Royal Family. The assumption of the Imperial title by Queen Victoria in 1877 enhanced the place of British India in the Empire and established a direct relation between the dynasty and its Indian subjects. But

it made an even greater change in the nature of the association which links the Indian States to their Sovereign. Lord Lytton's Delhi Durbar, which some English critics thought theatrical, was in truth the public inauguration of a new system of association between the Crown and the Indian Princes. Though his idea of joining some of the Princes with the high officers of the Indian Government as "Counsellors of the Empire" had little practical effect, the partnership has steadily developed. The system of Imperial Service Troops established in Lord Dufferin's Viceroyalty, under which the leading States voluntarily maintain forces that have shown their efficiency by the side of the Indian Army in three Continents, affords a striking contrast, in their order, discipline and character, to the motley armed forces which Ruling Chiefs formerly maintained as a relic of the old era of internecine wars, and, in the conceptions underlying their existence, to the "Contingents" which the British had required certain States to finance but could not allow them to control. Lord Curzon and Lord Minto are known to have considered plans for a Council of Princes; Lord Hardinge personally consulted some of the leading Rulers, with excellent result, on problems common to the States and to British India. In August, 1914, the spontaneous unanimity with which the Princes placed all the resources of their States at the service of the Empire revealed to the outer world that His Majesty had among Hindus, Muhammadans and Sikhs staunch allies as well as faithful subjects, and that beyond the limits of British India there existed

a series of States which regarded their welfare and their very existence as closely bound up with the success of British arms.

The separate political life of each State is concentrated in its internal administration: the States can enter into no relations with Foreign Powers: they maintain no representatives at each other's Courts, and except with the consent of the Governor-General conclude no mutual engagements. While their people are not, in law, British subjects, His Majesty's Government protects them equally with British Indian subjects in foreign countries, and passports are granted to them as "subjects of a State in India in subordinate alliance with His Majesty."

The boundaries between the States and British India are often marked by no natural features, and in very few instances do they coincide with any racial division. There are more Sikhs in the British Punjab than in the Sikh States; and many times more Mahrattas in the Bombay Presidency than under the rule of Mahratta Princes. The racial and religious diversities of India as a whole exist throughout most of the States, and perhaps the most important fact in this connection, though a fact not always appreciated, is that, except on the outskirts of India, there is as a rule no difference of race, descent, creed, or custom, between the people of a British district and the people of an adjoining State. Modern developments have necessarily led to common arrangements for such purposes as railways and Customs, to mutual extradition of offenders, and to police co-operation for the suppres-

sion of dacoities. When the connection began the Governor-General in Council was the autocratic ruler of British India, and the Government of India was in composition entirely British. But the grant of representative institutions to British India altered the position, since, though the Legislature is precluded from discussing or interfering in the affairs of the States, the Rulers and people of the States cannot remain totally unaffected by the political development of British India.

Under any constitution close connection and common action between British India and the States would still be necessary for many purposes, and the position of the Ruling Princes in the India of the future is one of the most important of the problems confronting statesmen. Tentative steps towards associating the Princes with the administration of British India were occasionally taken in the past, but it has gradually been recognised that the bond of union is to be found in the Viceroy's exercise of the functions delegated to him by the Imperial Crown and not in the ordinary legislative or administrative machinery. Soon after the Mutiny the Maharaja of Patiala sat as a nominated Member of the Indian Legislative Council, and forty-five years later Lord Minto's Government discussed with the Secretary of State the possibility of forming an Advisory Council of Notables for all India, to include Princes as well as leading representatives of British India. Such a plan could hardly have succeeded, apart from difficulties which would inevitably have arisen from the susceptibilities of many of the Rulers. The arrangement actually

adopted for providing the Princes with a means of deliberating together and advising the Supreme Government took an entirely different shape. Lord Chelmsford had convened informally an annual conference of Rulers of the States, and the "Montagu-Chelmsford Report"* which preluded the Government of India Act, discussed the possibility of further developments. The informal Princes' Conference of 1919 passed a resolution in favour of a permanent Council, and in 1921 the "Chamber of Princes" or "Narendra Mandal" was established by Royal Proclamation and opened in the Diwan-i-Am of the Moghul Palace at Delhi by H.R.H. the Duke of Connaught. This is a body which all Ruling Princes who possess a dynastic salute of eleven guns or more and enjoy the style "His Highness" are entitled to attend, as also "Rulers who exercise such full or practically full internal powers as in the opinion of the Viceroy qualify them for admission," while in the case of Ruling Chiefs of lesser States a system of representation has been established. The Viceroy presides over the meetings of the Chamber, which elects its own Chancellor and four other members of the Standing Committee, subject to the condition that the Princes of Rajputana, Central India, Bombay and the Punjab, must each be represented. The functions and limitations of the Chamber can best be understood from a passage in the Royal Proclamation :—

"My Viceroy will take its counsel freely in matters

* Cmd. 9109, 1918. Chapter x.

relating to the territories of the Indian States generally, and in matters which affect those territories jointly with British India or with the rest of My Empire. It will have no concern with the affairs of individual States or their Rulers, or with the relations of individual States to My Government, while the existing system of the States and their freedom of action will be in no way prejudiced or impaired."

The Chamber has met annually since 1921, but the Rulers of some important Indian States have as yet taken no part in its proceedings.

Several Ruling Princes went with their troops to France, and the new relationship of their Order to the Empire has been marked by the presence of Indian Princes, as already mentioned, at the Imperial War Conferences of 1917 and 1918, at the Premiers' Conference of 1921 and the Imperial Conference of 1923, and by their participation in the representation of India in the Assembly of the League of Nations at Geneva.

The Indian Political Department

The Viceroy himself is in charge of the Foreign and Political Department of the Government of India, and as representative of the King-Emperor is responsible for the conduct of political business with the States. In each State (or group of lesser States) is a British Political officer, while in some instances several such officers are subordinate to an Agent of the Governor-General. More direct relations between certain States and the Government of India have recently been formed by the centralisation

of political business formerly transacted by the Governments of Madras, Bombay and the Punjab with adjoining States. All developments of note are regularly reported to the Secretary of State, but it is only as regards important questions of policy that the work of the India Office is concerned with the States. The salutes of guns accorded to the several Rulers are decided by the King-Emperor, and any proposal for alteration is submitted to His Majesty by the Secretary of State. The Political Department of the India Office does not conduct the recruitment of officers for the Political Department of the Government of India, which is mainly filled by selected officers of the Indian Civil Service or the Indian Army, but the Secretary of State in Council of course exercises the same control, in matters such as pay and pension, over this as over the other All-India departments or services. The duties of the Indian Political officers comprise three quite distinct functions: they are employed as Residents or Political Agents in the Indian States, as administrative officers in the North-West Frontier Province and certain other frontier tracts, and as Consular officers beyond the borders of India. Thus our Consuls in Persia, though all under the direction of H. M. Minister at Teheran, are appointed partly from the British Consular Service and partly from the Indian Political Department, which also provides Political officers for the Persian Gulf. Although the Foreign Office and not the Government of India now conducts relations with Afghanistan, the officer appointed as His Majesty's Minister at Kabul has up to the present been

selected from the Indian Service, as is His Majesty's Envoy to the Court of Nepal. In several cases a senior officer combines quasi-diplomatic functions in an Indian State with the direct administrative supervision of British territory. The duties of the Indian Political officer no longer involve the possibility of exile to Somaliland, but they may summon him to places as far apart as Muscat and Kashgar, and move him from the stately ceremonial of a Rajput Court to the strenuous and comfortless life of a constantly "sniped" camp in Waziristan.

The Political A.D.C.

From members of this Service is usually chosen the Political A.D.C. to the Secretary of State, who has many duties in connection with the visits to England of Princes, and may be described as a *liaison* officer for ceremonial purposes between Buckingham Palace and the India Office. His duties are multifarious and sometimes delicate. They included on one occasion, as we learn from the "Reminiscences" of the late Sir Owen Burne, the surreptitious arrangement of a boxing display by prize-fighters in the stables of Buckingham Palace for the edification of the Shah Nasr-ed-Din of Persia, a function which, though it did not come to the knowledge of Queen Victoria, was interrupted by the inopportune arrival of a deputation of Bishops. But history gives no support to the enterprising novelist who made a Political A.D.C. spend most of a winter night treading water in the channel of the Thames and listening to such snatches of a deep conspiracy as reached his frozen ears through

the open porthole of a mysterious yacht's cabin.

The Star of India

The institution of distinct Indian Orders of Knighthood* is closely connected with the more direct assumption of Government by the Crown. It seems probable that Queen Victoria herself originated the idea which took shape in the Order of the Star of India. As regards titles already established in India, Lord Canning deprecated any change, except a greater care in the preservation of a formal and authoritative record in order that the Crown of England "should be understood to assume to itself the authority and to invest itself with the trust heretofore claimed by the Emperors of Hindustan over all their subjects and vassals, whether Muhammadan or Hindu." But there was a general desire to bestow a new and special mark of distinction on Ruling Princes who had manfully taken sides with the British in the Mutiny. The original conception was that of a high Order of one class, comparable to the Garter, of which Her Majesty should be the Sovereign. The Viceroy strongly recommended that the new Order should not be confined to Indian Princes: the association in it of a few Englishmen of high distinction was, he urged, in itself desirable as a bond of union, and would give the decoration a higher value in the eyes of Indian Princes than it was likely to possess if it had a distinct racial basis. As so often happens in

* Detailed information on the Indian Orders of Knighthood and other Indian decorations will be found in Appendix II.

official affairs, the fundamental points were settled with little trouble, but the minor details provided material for nearly two years' discussion. It was not actually instituted until 1861, and the delay was due to difficulties about the name, which at times seemed almost insuperable. The Prince Consort wrote constantly on the subject to the Secretary of State (Sir Charles Wood), and Lord Canning occasionally discharged a long-distance shell, while the Members of Council at the India Office exhausted their Oriental scholarship and their knowledge of the view that Indians hold on such subjects. The first suggestions produced by Sir Frederick Currie and Sir John Lawrence, after consultation with Indian friends, were either "The Star of Honour for England and India" or "The Eastern Star of Honour." But the word "Honour" was discarded, not for Lady Teazle's reason, but because it was too reminiscent of the famous French decoration. The authorities, however, hitched their wagon to a Star, as Emerson would have said, though they little foresaw over what rocky ground the Star would lead them. The Sun had been ruled out because of the Persian Order of the Lion and the Sun, while various animals and flowers were considered only to be dropped. The remarkable variety of nomenclature, to be found in European Orders of Chivalry, which ranges from "Le Saint Esprit" to "The Thistle," was discussed in letters between the Prince Consort and Sir Charles Wood. It is not impossible that India was saved from an Order of the White Elephant only because Denmark in her eighteenth-century dreams of an Oriental

dominion had pre-empted that style. (Siam seems to have been ignored.) The Prince Consort suggested "The Eastern Star" as appropriate in spite of possible objections from astronomers, and the Eastern Star irradiated the proceedings until it was shattered by Lord Canning's artillery. It appeared that "Poorbeah" was the only possible rendering of "Eastern," and, apart from the recent association of that word with mutinous sepoys of the Bengal Army, Lord Canning was assured by Sir Bartle Frere that people in Western India did not think so highly of their Eastern neighbours as to make the proposed name suitable. Lord Canning preferred "Western Star"; the new light shone from England, and Indians, like Chinese, do not regard their country as being at the East end of the world. But the style "Western Star" was held to suggest the decadence of a heavenly body. Designs had been approved for the anonymous star, when the permanent Civil Service took a hand in the game. Mr. Herman Merivale, the Under-Secretary of State, found that a five-pointed star had been sanctioned, and was compelled by his knowledge of heraldry to point out that a five-pointed thing that looks like a star is really a mullet. But this intrusion of heraldic orthodoxy was evidently regarded as intolerable: the Star of India still has five points. The somewhat battered emblem was re-emerging as "The Star of England and India" when the patriotism of the Lord Chancellor, Lord Campbell, blazed up against the slight to "natives of Scotland" who had played so honourable a part in Indian affairs. The "Star of Britain and India" seems

never to have arisen in the firmament, though "the Star of Empire" twinkled for a moment, for the Prince Consort wrote resignedly to Sir Charles Wood that it was necessary to start afresh. He suggested "The Star" or "The Celestial Star," and clung to the hope that there must be some inoffensive Hindustani word that meant "celestial." The objection was raised that all stars were celestial.

The Secretary of State, perhaps a little tired by this time, boldly proposed "The British Star": the Prince Consort saw no strong objection to that except that there is no such star in Heaven, but touched a new note by proposing the "Star of Peace"; the experts, however, declared that the only Hindustani equivalents of the word "Peace" meant merely agreement after war, or rest, or sleep. In due course Lord Canning gave the final blow to the new idea by pointing out the incongruity of the term for a decoration to be bestowed on distinguished soldiers. And so at last the matter came before the Cabinet, who seem quickly to have decided on "Star of India": a simple and acceptable title that appears never to have occurred to anyone at an earlier stage.

The motto of the new Order has recently been discovered to be due to the Prince Consort. At an early stage H.R.H. sent Sir Charles Wood a list of possible mottoes, all in Latin, one of which was "Lux Coeli Dux Noster." This sentiment found favour, but Lord Canning protested against going down to history as the Viceroy who had compelled Maharajas to learn Latin, and "Heaven's Light Our Guide" at last shone over the new emblem.

Details connected with the institution of decorations may be trivial in themselves, but it is sometimes exceedingly troublesome to get small things right. A recent Secretary of State for India, comparing the functions of the India Office with those of an elephant, observed that, whatever might be thought of its success in piling teak, there was no doubt that it could pick up pins. But the minor activity often requires expert guidance from outside.

The Warrant of Precedence

The relative rank of decorations, however, is an easy problem compared with that of the relative precedence of individuals. A glance at the Warrant of Precedence in India, printed in the annual India Office List, shows that it rests upon a purely official classification: it starts with the Viceroy and somewhat unexpectedly ends with sub-deputy opium agents. It is an entertaining document in its completed form, but must have been very maddening to compile. The casual reader may wonder why a Director of Zoological Survey should rank three classes below an Archdeacon of Bombay, but three classes above an Archdeacon of Lahore. The reason is to be found not in any theory of the respective claims of religion and science, but in the official history of the multitudinous appointments, civil, military and ecclesiastical, which the Government of India must recognise. In so far as a man has an official position, it must be possible to grade him. But to fix the mutual position of office-holders in diverse services does at times seem like an attempt to weigh the incommensurable, and it must

have been difficult to assess the rival claims of an Assay Master and of a Private Secretary to a Governor. If a man belongs to a class of official to which a certain place is assigned, but holds a particular post graded higher or lower "he will be entitled to the highest position accorded to him," a generous gesture in marked contrast to the provision which runs like a *leit-motiv* through Indian financial regulations, that if an official appears to be entitled to two different sums of money—such as half average salary or a thousand rupees—he shall always get "whichever is less."*

Unfortunately, so far as the present purpose is concerned, we are a long way from the eighteenth-century days when every British non-official visitor to India was an "interloper," and it has proved necessary to temper the purely official rigour of the Warrant by a somewhat elastic recognition of persons who have precedence of their own at Court, but hold no Indian appointment.

Since any alteration in the Warrant must be submitted to the King, its provisions are at times the subject of correspondence between the Government of India and the India Office. A certain discretion is left to the Governor-General by the terms of the Warrant. This is the more necessary because it has been absolutely impossible to assign any fixed precedence for the Ruling Princes and Chiefs of the Indian States, some of whom are

* An official, suffering from a decision of his superiors, once delighted the Bengal Club by suggesting that rulings of the Government were to be "interpreted by law, equity, or good conscience, whichever is least!"

frequent visitors at the Viceregal Court, and most of whom meet on the occasion of great Durbars. The histories of the States are so diverse, the claims to priority in some cases so conflicting, and the actual existence of a common meeting-ground is of such recent date, that the only practicable course has been to confine the scope of the Warrant to British subjects, with provision by courtesy for the consular representatives in India of Foreign Powers. The correspondence of 1859 shows that such a gathering of Indian Princes and Chiefs as actually took place only eighteen years later, when Lord Lytton announced at Delhi Her Majesty's new style of Kaisar-i-Hind, lay far beyond the horizon. For more than a century and a half the Rulers of Indian States had never had an opportunity of peaceful meeting.

Chapter XI

THE MILITARY DEPARTMENT

The King's and the Company's Troops—The East India Volunteers—The Indian Army—The India Office Military Department—Lord Clive's Fund—The Marine Services

The King's and the Company's Troops

Royal Forces appeared in India as early as 1661, when Charles II sent soldiers to take possession of Bombay, but when he made over his new acquisition to the East India Company (already firmly established at Surat), these King's troops were in 1668 encouraged to transfer to the Company's service, and developed into the 1st European Regiment Bombay Fusiliers. One hundred and ninety years later the pendulum swung back, and the Company's European Regiments were incorporated in the British Army. No more King's troops came to India until 1754, when the 39th Foot (now 1st Battalion Dorset Regiment) were brought by Admiral Watson to reinforce Clive, a fact recognised by their motto " Primus in Indis."

In the meantime the Company had been forming its own local forces*, and obtaining from the Crown

* An excellent sketch of the development of the Indian Army from the earliest days is contained in a Government of India publication, " The Army in India and its Evolution," Calcutta, 1924.

the authority and powers necessary to maintain discipline. Charters of 1661 and 1669 allowed the enlistment of soldiers and established powers of military government, and it is notable that a third Charter (1683), authorising martial law, specifically preserved the sovereign rights of the Crown. When the two rival Companies were amalgamated in 1708, distinct forces were formed in each of the three Presidencies; it was not until 1893 that an Act of Parliament abolished the Commanders-in-Chief in Madras and Bombay.

But the organisation of the Company's troops as an effective force dates from 1748, when Sir Eyre Coote was in command at Fort St. David (Madras Presidency). A thorough reorganisation took place under Clive. The Company's first troops were European (except for the "Topasses," apparently Portuguese Eurasians, raised at Bombay in the seventeenth century), and it is well known that it was the enlistment of sepoys under the French flag by Dupleix that set the model for the inauguration of the Company's Native Army. In view of recent developments it is interesting to note that the earliest British sepoy battalions were commanded by their own Indian officers, and though Clive added British officers and men to the native battalions, their Indian Commandants survived for a time. The continuous maintenance in India of King's forces "for the annoyance of our enemies" dates from 1779. By this time the Company's European troops numbered 11,000 odd, but after the Napoleonic wars they were reduced to 8,000. The native forces were of course far more numerous.

It was inevitable that some friction should arise between the King's and the Company's forces; the former were not altogether satisfied at finding themselves under the Company's Commander-in-Chief, while the Company's regimental officers were handicapped in matters of comparative rank. Until 1796 the latter could not rise above the rank of Colonel. The difficulties of status and of jurisdiction over the Royal as well as the Company's troops were so great that Cornwallis insisted on the grant to himself of the Commandership-in-Chief when he became Governor-General, and Lord Wellesley and Lord Moira (Lord Hastings) held the same position. The steadily increasing power of the Crown in India regulated such matters and gave the military Commanders-in-Chief all necessary powers, while they were placed on the Governor-General's Council (and also, while the separate Commands existed, on those of Madras and Bombay) as Extraordinary Members. By this arrangement the Commander-in-Chief could never act as Governor-General or Governor, a temporary appointment that often came to the senior Ordinary Member of Council, and in India the General commanding the troops was never vested with the supreme civil authority when it was temporarily vacant. In 1863 Lord Napier of Magdala, when "Military Member," officiated as Governor-General for ten days on the death of Lord Elgin, but when later on he was Commander-in-Chief he could not have taken this position had a sudden vacancy again occurred.

The employment of King's troops in India inevitably raised financial questions, and the problem

of the proper apportionment between British and Indian revenues of the cost of the British in India—a problem that constantly engages the time and arouses the departmental zeal of the India Office and the War Office—is nearly one hundred and fifty years old. Until 1781 no claim was made upon the Company for the expense of sending King's troops to India. The transfer of this charge to Indian revenues was the prelude to a sharp controversy. In 1788 the four-year-old Board of Control thought it necessary to send four more British regiments to India, and ordered the Company to pay for them. The Directors resisted, arguing that they ought to be required to pay only for troops sent at their own request, and the question was hotly debated in the House of Commons. It was natural for the Company to object to meeting the cost of reinforcements for which they had not asked, but from an Imperial point of view it might well have been dangerous to let a commercial company be the sole judge of the military strength needed for the safety of British India. A compromise was reached: the Crown was not to charge to Indian revenues the cost of more than 8,000 odd King's troops, but at the same time took power to compel the Company to maintain 12,000 European troops of its own service. In 1791 the expense of 2,682 more King's troops was imposed on the Company, which two years later had to accept the entire cost of the Royal Forces in India. A more complete settlement was reached in 1799, when the Crown took over the enlistment in this country of the Company's European soldiers, allowing its own

recruits to volunteer for transfer to the service of the Company, which maintained a depôt for them, at first in the Isle of Wight and later at Chatham. From a political point of view the garrisoning of India by British soldiers who were permanently on the Indian establishment, and not liable to be ordered off to the West Indies or back to Europe, had obvious advantages. As Mr. Auber* put it, the Company's officers and men were more inclined to learn Indian languages and "study the habits, customs and prejudices of the natives," for they, knowing that "all their hopes of fortune and preferment centre in India, necessarily apply themselves to the attainment of that knowledge upon which their comfort and future prospects depend." While the vision of the Company's private soldier as a versatile and sympathetic Orientalist seems a little rosy, it was true enough that India became his home, and the officers, at least, had far more inducement than the King's officers to take pains to learn Indian languages and try to understand the ways of the country, especially as they were freely employed on civil duties, and might hope for high civil preferment. Sir Thomas Munro, for instance, the eminent Governor of Madras, was a military officer of the Company. Unfortunately the opening of a civil career had a most detrimental effect on military efficiency. Not only did better pay and prospects tempt subalterns to leave their regiments for civil posts, but they remained on the battalion cadre, received military promotion while in civil employ, and were liable at any time to revert to

* Auber, "Analysis" p. 449.

military duty. (It should perhaps be mentioned that though officers of the Indian Army still to a great extent man the Indian Political Department, and until recently were drawn upon for the "Commissions"—i.e. civil administration—of certain Provinces, they drop once and for all their military functions on becoming what used to be called "Military Civilians," though they retain Army rank and promotion up to Lieutenant-Colonel, and are pensioned under Military rules.)

In the latter half of the eighteenth century the Directors had been anxious to procure for their own Artillery and Engineers cadets who had passed through Woolwich, and in 1786 they ceased to give direct commissions to young Englishmen in India ("country cadets," not necessarily country-born). In 1798 they were allowed to maintain cadets at Woolwich up to the number of forty, in return subsidising the Royal Military Academy rather generously, and they also obtained young officers from Marlow. But it was naturally difficult to attract to India the necessary number of young officers while Europe was one great battlefield, and in 1809 the East India Company founded its own military college at Addiscombe, at first for the training of artillery and engineer cadets only. In 1816 cadets for the infantry were added. The college* lasted until 1861, and sent out to India some 3,600 military officers, many of whom played

* Colonel H. M. Vibart's "Addiscombe: its Heroes and Men of Note" (London, 1894) gives an entertaining account of life at the College, as well as a valuable record of the careers of the most distinguished cadets.

a great part in the history of the Indian Empire. It furnished to the British Army two Field-Marshals, Lord Napier of Magdala and Lord Roberts of Kandahar. Its course of instruction was similar to that of Woolwich, but Hindustani formed part of the curriculum. Apparently before 1816 the acquirements necessary for cavalry and infantry subalterns were expected to come by Nature or to develop after they joined their regiments in India ; the young soldier sailed at once for India on receiving his nomination and learned his work by doing it. Cadets for the Company's military forces were nominated between the ages of 15 and 22, but the age limit was extended to 25 in the case of officers who had a year's service in the Royal Army (or in Militia or Fencibles actually enlisted), or had passed through Woolwich. Thus the principle of drawing on the Royal Army for Indian officers was partly established in the Company's days. Since 1858 a period of apprenticeship in the British Army has been a requisite preliminary to appointment to commissions on the Indian Staff Corps, now the Indian Army. Officered after the Mutiny by a somewhat haphazard system of voluntary transfer from British regiments serving in India, it has seen the regulations stiffened, and officers pass through Sandhurst and are attached to a British unit on first commission. Subalterns attached to a British battalion *en route* for the Indian Army are described as belonging to the " unattached list," a fact that illustrates the peculiarities of the official vocabulary of India.

As the Company's army developed, and Hindu

recruits of high caste were attached to the Service, the Hindu objection to crossing the sea became a real difficulty. But as early as 1789 Lord Cornwallis induced Indian troops to volunteer for an expedition to Bencoolen in the Dutch East Indies, and a more notable departure was seen in 1800 when an Indian contingent was sent to support Abercromby in Egypt, just as in 1882 a similar reinforcement was sent to Sir Garnet Wolseley. The Napoleonic Wars necessitated other expeditions from India. Ceylon was won by Indian troops in 1795, Mauritius in 1801, and Java in 1811. The annexation of the Straits Settlements, and later on of Aden, to India, led to the permanent posting of Indian garrisons in Malaya and Arabia, and in more recent years Indian regiments have been lent to the Colonial Office for garrison duty at Hong Kong, Singapore and Mauritius. The nineteenth century saw Indian forces on active service in Persia (1856) and Abyssinia (1868), and the Chinese expedition of 1900 was left entirely in the hands of the Indian military authorities (apart from the Royal Navy's share in it). The despatch of Indian troops to Malta in 1878 in connection with the possibility of war against Russia provided a great political sensation and raised debate on constitutional points. Thus long before the Great War Indian troops had played a larger part in Imperial history than is generally recognised. The war against Germany and her allies brought Indian forces to France, Gallipoli, Egypt, Palestine, Iraq, Persia, East Africa and China. The India Office is not devoid of symbols of the more stirring and romantic aspects of military life; old regimental

colours are preserved in its committee-rooms, the portraits of great soldiers hang on its walls, and quite recently a valuable and interesting collection of all the medals issued to the Indian Army has been placed in a corridor.

The East India Volunteers

The East India Company in Leadenhall Street shared the patriotic spirit of Napoleonic days, and a refreshing interlude to the constant bickering between Company and Government is to be seen in its maintenance during the war with France of three battalions of volunteers which cost them nearly £20,000 a year. In 1820 the ardour for volunteering revived, and a special Act of Parliament empowered the Directors to raise a volunteer battalion in England. The field officers were chosen from among the Directors, the captains and subalterns from the officers and clerks in Leadenhall Street, and the rank and file from the warehousemen. The regiment had a picturesque uniform, received colours which are still preserved at the India Office, and, according to Mr. Auber, was "peculiarly efficient and valuable as a local force, applicable to any emergency in the metropolis, as well as to the protection of the valuable property deposited in the extensive warehouses of the Company." * It was disbanded in 1834. Thus the Miniature Rifle Club

* "Analysis," p. 733. Sir William Foster in "The East India House," pp. 165-174, gives a graphic account of The Royal East India Volunteers. Ilbert's mention of the Act of 1820 ("Government of India," 1922, p. 80) does not make it clear that this Force was for service in England.

that was formed at the India Office in the Great War had an ancestor of a more picturesque character. But the younger generation undertook sterner work than parading at Lord's Cricket Ground to receive colours from Lady Jane Dundas, or guarding extensive warehouses. Of the (permanent) staff of the India Office 202 joined the Forces between 1914 and 1918, and a marble tablet in the first floor corridor of the building keeps alive the memory of the thirty who laid down their lives.

The Indian Army

The reorganisation of the Army was one of the first tasks taken in hand after the assumption of direct government by the Crown, the Company's European forces being absorbed in the British Army.* The British officers of the Indian forces were in 1861 formed into three Presidency Staff Corps, and complicated questions of pay, promotion and grading were apparently tackled by the infant India Office with greater confidence than the results of its labours produced in India. Sir George Chesney records that a "cut and dried scheme"† was sent out from the India Office and imposed upon the local authorities; he describes the anomalies that resulted. The next thirty years witnessed, besides the expeditions to Abyssinia and Egypt already mentioned, the second Afghan War, the conquest

* It may be of interest to note that the Leinster Regiment, whose last service before disbandment was against the Moplah rebels, had been formed by the union of a European battalion of the East India Company with the Royal Canadians.

† Chesney, "Indian Polity," 3rd edition, p. 320.

of Upper Burma and numerous Frontier expeditions. The Afghan War of 1878-79 revealed the difficulties entailed by the semi-independent status of the Bombay and Madras Armies, but unification was not effected until the 'nineties, when the separate Presidency Armies ceased to exist. The British officers were formed into one " Indian Staff Corps " (a term that lasted only until 1903, since when its members have been officers of " the Indian Army "), and the three armies were replaced by four Commands—Bengal, Madras (including Burma), Bombay and the Punjab. But this rearrangement was still open to the criticism that the peace formations were ill-adapted to the needs of war, while the troops of the several Commands, though brought under central control, remained localised and self-contained. Lord Kitchener's drastic reorganisation, which involved the renumbering in one consecutive series of all Indian regiments (the 1st Bombay Grenadiers, for example, becoming the 101st Grenadiers), led to the 1905 system of distribution in three Commands and nine divisions, which was modified in 1908 into an arrangement of two Armies.

But in the eyes of the British public Lord Kitchener's term of the Indian Command was signalised more notably by the controversy as to the status and authority of the Commander-in-Chief. The Crown had inherited from the Company the system, started in the eighteenth century, of appointing a soldier other than the Commander-in-Chief as an Ordinary Member of the Governor-General's Council, and giving him the control of the Ordnance, Supply and Transport and Military

Works, and the management of the Military Department of the Secretariat. Lord Curzon strongly defended the existing system, which he regarded as essential to the subordination of the military to the civil power. But the Secretary of State in Council sided with the Commander-in-Chief, and the Cabinet decided to abolish the office of Military Member. A compromise was reached by the appointment of a Military Supply Member, a soldier whose departmental duties were limited to matters of supply and material, though as Member of Council he had an equal voice with his colleagues. The new experiment lasted only three years, and since 1909 the Commander-in-Chief has been the only soldier with a seat in the Executive Council. The abolition of the Military Member's department necessitated the creation of a new Military Finance branch as a *liaison* between the Army Department (under the Commander-in-Chief) and the Finance Department of the Government of India. The higher military administration in India has, since the Kitchener changes, come under direct examination by three important Committees—Lord Nicholson's in 1912 (consideration of its recommendations being interrupted by the War), Lord Esher's in 1919, and Lord Inchcape's in 1922, the last dealing with possible economies in every branch of government, civil and military. But it will suffice in these pages to describe very briefly the system existing at the present time. The Commander-in-Chief is now not only the head of Army Headquarters but also himself the Member of Council in charge of Army Department. The Secretary in the Army

Department is a Civilian; like the other Secretaries to the Government of India he has direct access to the Governor-General, and is nominated to a seat in the Indian Legislature. The Military Finance Branch, which examines all proposals for military and Air Force expenditure, is under a Financial Adviser, a Civilian, who has access to the Finance Member and the Commander-in-Chief. The Commander-in-Chief is assisted by a Military Council, of which he is President, consisting of the Chief of the General Staff, the Adjutant-General, the Quartermaster-General, the Secretary in the Army Department, and the Financial Adviser. In his purely professional capacity the Commander-in-Chief presides over Army Headquarters, which controls all British troops and officers quartered in India as well as the Indian Army. The Royal Air Force in India is directly commanded by an Air Vice-Marshal, who is in close touch with Army Headquarters, and is under the control of the Commander-in-Chief. All military medical services and personnel, the Royal Army Medical Corps serving in India as well as the Indian Medical Service and the subordinate branches, are administered by a Director of Medical Services (either a R.A.M.C. or an I.M.S. officer) who is a Major-General on the staff of Army Headquarters and is subordinate to the Adjutant-General. The functions of the Commander-in-Chief are not limited to the land and the air, for he controls also the Royal Indian Marine. He affords, in fact, what is possibly a unique instance of a double personality (Commander-in-Chief and Member-of-Council) functioning in three elements,

and under the present conditions he has important and delicate responsibilities as the spokesman of the Army and exponent of military policy in the Legislature.

The present strength of the regular troops is rather under 200,000, of which about 55,000 are British. But at the end of the War the Indian Army had risen to the figure of 573,000. It ought to be remembered that in 1914-15 Lord Hardinge's Government took two decisions of signal importance: it released the great majority of the regular British troops for immediate service overseas, gradually replacing them by Territorials from England as these became available, and it despatched the bulk of Indian regulars to the several seats of war. Lord Curzon's Government had saved Natal in 1899 by sending out from India a large contingent of British troops, but the risks taken in 1914 were far more grave, and the action of the Government of India has not always been rightly appreciated. For in a country in which the sensational exploits of the German ship *Emden* were believed by thousands to include a voyage up the Ganges and Jumna culminating in the bombardment of Delhi, there could be no certainty that serious trouble might not suddenly arise.

The part played by Indian troops in the Great War led to the extension of eligibility for the Victoria Cross to Indian officers, N.C.O.'s and rank and file and to the decision of a question that had been discussed for many years, the grant of King's Commissions to Indian officers. While British military rank had been granted to a few members

of Princely houses, and in the medical branch to Indian officers of the Indian Medical Service (a measure that had followed automatically upon the grant of combatant titles to officers of the Royal Army Medical Corps), the Indian regimental officers —Subadars, Risaldars, Jemadars—held only Viceroy's Commissions and were subordinate to the most junior British officer holding the King's Commission. The grant of this distinction to Indian officers who had shown their quality in the field was necessarily a prelude to a systematic arrangement for the regular addition of young Indians to the higher ranks, which will be described later. The Indian Volunteers, a body consisting almost entirely of Europeans and Anglo-Indians (i.e. men of mixed blood) were replaced by an Indian Defence Force, service in which was made compulsory for Europeans during the War, while it was attempted, with little success, to attract to its Indian branch volunteers from classes of Indians which had not in the past supplied recruits for the Army. In 1920 two new forces were established, the Auxiliary Force, to consist of all four arms, drawn from European British subjects, and a Territorial Force of Indians, which comprises provincial battalions and also University Training Corps battalions, all infantry up to the present. The Imperial Service Troops of the Indian States, some of which had been on active service on the Frontiers and in China long before, rendered valuable aid in the Great War, but they have now been remodelled as the "Indian State Forces," divided into three classes, and at present numbering some 27,000 in all.

Thus the armed forces of India now contain six elements—British troops, Indian Regulars, the Indian Army Reserve, the Auxiliary Force, the Territorial Force, and the Indian State troops. The Regular Forces were distributed in 1921 between four Commands, containing fourteen districts, and a careful system of decentralisation, administrative and financial, has relieved Army Headquarters of unnecessary detail and vested the Generals in command with fuller powers. The present distribution is based on the theory that the Army comprises three categories—covering troops (to deal with minor frontier outbreaks), the Field Army (four divisions and nine cavalry brigades), and internal security troops. Six squadrons of the Royal Air Force are now stationed in India. Modern developments in the field have led to the establishment or reorganisation of Indian Tank Corps, Mechanical Transport, Ordnance Services and Signal Corps; the Supply and Transport has become the Indian Army Service Corps. The Indian Remount and Veterinary Services not only exercise the same functions as their confrères of the British Army, but require expert knowledge of the idiosyncrasies of bullocks and camels. Provision for the higher professional education of Indian Army officers is now made at the Indian Staff College at Quetta, modelled on the same lines as Camberley.

But the beginning of "Indianisation" in the commissioned ranks of the Indian Army is one of the most important new developments, and here inevitably political aspirations supply impatient comments on the gradual nature of the process. An

excellent start has been made in the Prince of Wales' Royal Indian Military College at Dehra Dun, where Indian boys are given military education of an English public school character as a preliminary to Sandhurst. But a committee is now considering the question of founding a Sandhurst in India.

The difficulty of intermixing British and Indian officers graded by seniority is met by the decision to select eight regiments for "Indianisation," and filling all vacancies in them by the appointment of Indian subalterns, but the process is made less easy than it looks on paper by the fact that up to the present Indian subalterns have paid a striking testimony to the camaraderie between British and Indian officers by preferring not to serve in units from which the former are to be completely eliminated.

The India Office Military Department

The Military Department of the India Office is staffed in the main by civil servants, though the Military Secretary has always been an Indian Army officer of high rank and long experience. Up to the end of last century he was an officer on the retired or unemployed list who could therefore remain in the appointment until the civil age for retirement. But the rule was broken when Sir O'Moore Creagh and Sir Beauchamp Duff in turn became Secretary and passed from that post to be Commander-in-Chief in India. In 1907 it was found essential to add to the department a staff officer of the Indian Army. One had been brought home two

years earlier for duty as Assistant Secretary to the Committee of Imperial Defence, and the two posts were for a time combined. During the War, since the Military Secretary was of course entirely absorbed in strategic and administrative problems, a civilian Joint Secretary was appointed. While the Military Secretary is now mainly concerned with questions of military policy, the civil Secretary in practice takes charge of the great bulk of the miscellaneous departmental work.

The department is in no sense an Army Headquarters staff attached to the Secretary of State. The General Headquarters of the Army in India is, and must be in India, and any attempt to duplicate it here would be undesirable, even if it were practicable. The Military Department is in fact a secretariat, discharging the same functions in regard to military matters as the other departments of the Office undertake in respect of the civil administration. As a senior soldier with recent experience of Indian military problems and of the condition of the services, the Military Secretary, charged with direct departmental duties, is in a position to maintain *liaison*, not only with the Headquarters staff in India, but with the staff at the War Office. He is appointed by the Secretary of State after consultation with the Commander-in-Chief in India and the Chief of the Imperial General Staff; and the short tenure of his appointment secures that his information is up to date.

The Secretary of State is entrusted by statute with the general direction and control of the military administration of India and is therefore

responsible to Parliament for the safety of India. Thus the variety of military questions that come to him for decision is very great. All proposals from the Government of India raising questions of high military policy or principle are subject to his approval. The Commander-in-Chief does not communicate direct with the Secretary of State, nor does he enter into direct correspondence with the War Office except on such matters as organisation or equipment or the details of the relief of British units.

Questions affecting personnel, either the services as a whole or individuals, closely concern the Secretary of State. He must judge the measures necessary to secure the supply of British officers of the type required. The conditions of service, e.g. the rate of pay and pension in relation to the rates for the British services, are factors of the first importance, and apart from this consideration he has a special responsibility for the contentment of officers holding the King's Commission. The Army Act provides that officers of the Indian Army* who consider themselves wronged by their commanding officers may carry their appeal for redress up to the Crown. The Secretary of State as the adviser to the Crown in matters concerning the Indian Army has therefore in effect the grave responsibility of a final court of appeal, and not infrequently the point at issue is whether the officer shall be removed from the service.

The Secretary of State recommends to His Majesty the two A.D.C.'s General selected from

* The phrase includes officers up to the rank of Lieutenant-Colonel; higher rank is Army rank, not Indian Army rank.

among General Officers of the Indian Army actually serving in India, the four of His Majesty's A.D.C.'s chosen from Colonels or Lieutenant-Colonels of the Indian Army, and the additional A.D.C. representing the Indian Auxiliary Force. Every year (from May to July) four Indian officers are on duty in London as Orderlies to His Majesty. These Indian gentlemen are selected by the Commander-in-Chief, as the best types of their class, on consideration of their military record, bearing, and family. They are under the orders of the Equerry-in-Waiting to the King, and are placed in charge of a British officer of the Indian Army under the general supervision of the Political A.D.C. to the Secretary of State.

The India Office awards King's India Cadetships at Sandhurst, and recommends the grant of good service pensions to retired officers of the Indian Army. In close touch with the Military Department is the Ordnance Consulting Officer to the Secretary of State, deputed from the Ordnance Department of the Government of India, which is concerned with the manufacture and supplies of munitions.

Lord Clive's Fund

One relic of the Company's administration has a special interest because of its connection with Clive. The widows of officers of the Indian Army are pensioned under rules substantially identical with those laid down by Royal Warrant for the British Services. But the Warrant does not apply to officers who belonged to the Company's forces and did not join the Royal forces after the transfer

to the Crown. Their widows were pensioned under different rules and until recently applications were received from the widows of long-lived Company's officers asking for pensions from "Lord Clive's Fund."

The Fund has an interesting history. Mir Mahommed Jafir Khan, Nawab of Bengal, bequeathed five lacs of rupees (£63,000) to Clive, who made it over, together with another £37,000 given by a succeeding Nawab, to the Court of Directors in trust, to be devoted to providing pensions for servants of the Company and their widows. The trust deed provided that if the Company ceased to employ a military force they should repay to Clive or his representatives "the full sum of five lacs of sicca rupees." On the passage of the Act of 1858 Clive's representatives claimed repayment, and the House of Lords on appeal decided that the contingency contemplated in the trust deed had arisen on the passing of the Act and that the sum must be repaid. In point of fact the Company in administering the trust had long since exhausted the fund and were already paying pensions out of their general revenues and the Crown continued to grant pensions on the same principles. In the accounts of the India Office, pensions of this fund have long been described with the precision of the Civil Service as "Military (late Lord Clive's Fund) Pensions." But it is difficult to persuade some of the applicants debarred by the rules that the India Office is not turning to improper uses money left by Clive for the benefit of the old Company's servants.

The Marine Services

The amphibious nature of the Company's early adventures has been noticed above, and Charters of Charles II and James II gave it power to equip ships of war. But, though the Bombay Marine came into existence in the latter reign, the Company could not contend unaided with European naval powers, and the French wars of the mid-eighteenth century saw the King's ships in Indian waters. By 1769 the Company was earnestly seeking for the regular support of the Royal Navy, and the usual arguments about finance and status followed. The Crown was unwilling to place its Naval forces at the unfettered disposal of the Company: the Directors thought it unreasonable that an Admiral should have plenipotentiary powers of negotiation. After 1784 the position, of course, became less chaotic. The financial question was not settled until, by an Act of 1826, the cost of maintenance of all ships of the Royal Navy sent out at the Company's request and with the approval of the Board of Control was placed upon Indian revenues. But only in 1827 did an Order in Council secure the men of the Bombay Marine from impressment on the king's ships, and give its officers (who in local waters went as high as Commodore) rank immediately after the corresponding grades of the Navy, while securing them in command of their own ships. Hitherto the Bombay Marine had been entitled to fly only the Red Ensign: now the Union Jack was granted, and in addition a special pendant bearing the cross of St. George. Next

year by Act of Parliament the Marine was placed for disciplinary purposes on the same footing as the Company's land forces. In 1832, by the special desire of King William IV, the Bombay Marine became the Indian Navy. During its thirty years of life—for it was abolished in 1862—the Indian Navy did valuable work in peace and war, and continued the marine surveys which, in the absence of charts, the Bombay Marine had undertaken for a century and a half. Not only the coasts of India, but the Red Sea, the Somali coast and the Persian Gulf were surveyed and charted. It fell to the Indian Navy to collaborate with Rawlinson's Mesopotamian exploration by surveying the Tigris and Euphrates, and to help Charles Darwin to examine coral islands.

The Marine Survey Department became a specialist branch of the Royal Indian Marine. The survey ships, engaged primarily in charting, carry a surgeon-naturalist under whose direction trawling operations are carried on in the interests of deep sea zoology. The Department in its present form dates from 1874. R.N. officers trained in hydrographic work were employed in the early stages, but gradually reduced as the officers of the Royal Indian Marine gained experience. Finally in 1906 a Royal Indian Marine officer was for the first time appointed head of the Survey, and since then the department has consisted entirely of Royal Indian Marine personnel.

The "East Indiamen" of the merchant service, with the fast clippers built for the China tea-trade, are of course famous in maritime annals. The demands of shipowners in the eighteenth century drove the Company to shipbuilding for itself, not

only at home but in the East, and a relaxation of English law was necessary to enable its ships to be manned mainly by lascars. It was conceded that only four British seamen should be required for every hundred tons, but a British Master commanded every ship. The East India Docks in the Thames, built in 1803 under Act of Parliament and managed by a Company largely controlled by the East India Company, remain as a monument of the great days of the Eastern trade. New docks were necessary because of the large tonnage of the East Indiamen, for whose unloading the Port of London had previously no adequate accommodation.

The Royal Indian Marine and Royal Indian Navy

The abolition of the combatant Indian Navy in 1862 was immediately followed by the formation of the Indian Marine, which in 1892 became the Royal Indian Marine. The Royal Navy undertook the obligation of general defence and protection of trade: on the Indian Marine fell all local duties that could properly be discharged by a non-combatant service. In the recital of these in the preamble to the Indian Marine Act of 1864 are included "the transport of troops, the suppression of piracy, the survey of coasts and harbours, the visiting of lighthouses, and other local objects." The service contemplated by this Act was clearly non-combatant, but it provided that in the emergency of war ships and personnel of the Marine might, by Proclamation or Orders in Council, be placed under the command of the senior naval officer of the station where they happened to be.

Thus ships of the Royal Indian Marine could be converted into ships of the Royal Navy, and their personnel into Royal Navy personnel. On August 5th, 1914, the *Dufferin* and *Hardinge*, the two largest transports of the Royal Indian Marine, were placed by Order in Council under the command of the Naval Commander-in-Chief of the East Indies Squadron, and other vessels were transferred later. The two vessels mentioned formed part of the protecting force with the transports which conveyed the Indian Expeditionary Force to France in 1914, and later the *Dufferin* took part in the defence of the Suez Canal zone against the Turkish attack. Officers of the Service were employed in the newly formed Inland Water Transport Service, and both in France and Mesopotamia did excellent work.

Appointments to the Royal Indian Marine were made by the Secretary of State in Council, and officers' commissions countersigned by His Majesty. Candidates were selected from officers of the Merchant Service with Board of Trade certificates or, recently, with four years' sea service, including time spent on Training Ships or at the Pangbourne Naval College. While the normal employment of the Service was on sea-going ships, the senior officers in general hold shore appointments as Port Officers.

In 1922, however, the Retrenchment Committee of which Lord Inchcape was Chairman led to the sale of the troopships and the transfer of the trooping work to hired vessels. This step, and the experiences of the War, raised the question of the creation of a combatant Indian Navy, which has been settled (pending necessary legislation and the

arrangement of details with the Admiralty) by the announcement made by Lord Reading in February 1926 that the Royal Indian Marine will be reconstructed into a combatant force to be known as the Royal Indian Navy, entitled to fly the White Ensign. Indians are to be eligible for commissioned rank. At present India pays an annual subsidy of £100,000 to the Admiralty. This arrangement marks the settlement of a thirty years' controversy which followed the abolition of the Indian Navy in 1862. It was not questioned that the Government of India must meet the cost of shore and harbour defences, and at one time India maintained a small squadron of turret ships and torpedo boats in Bombay. Nor was it denied that she must bear the charges involved in the policing of her coasts and the suppression of piracy and the local slave trade, for these were Indian purposes. So far as the Royal Navy performed these duties in place of the Royal Indian Marine, the Secretary of State for India was prepared to bear the cost. But about 1890 the Admiralty claimed that "Indian purposes" covered a wider field than the Government of India was prepared to admit. The controversy was finally referred to the arbitration of Lord Rosebery, then Prime Minister. His award was that the expression "Indian purposes" must be held to include some portion, at any rate, of the duties devolving on the Royal Navy for the defence of India and the protection of trade in Indian waters. On the basis of this award the annual subsidy of £100,000 was agreed upon and has been paid by India ever since.

Chapter XII

MEDICAL. [By S. F. Stewart]

The Indian Medical Service

The Indian Medical Service, like the covenanted Civil Service, can trace its origins back to the earliest days of the East India Company. From the beginning Surgeons were appointed to the ships of the fleets that sailed to the East; and as factories were established and the number of the Company's servants in them increased, surgeons from the ships were employed ashore in medical charge of the settlements. But it was not until 1764 that the Company's medical men were organised into a service. In the interval they seem to have been engaged in a somewhat haphazard way; they were of many nationalities and they arrived in the Company's service by strange routes. The records of the Company throw an intermittent but fascinating light on those pioneers of a great service. The facts revealed are not always creditable, but they are nearly always interesting. Like their masters these men were adventurers, sometimes in the less reputable sense of the term, wandering through the East on the strength of that most useful passport—their profession. But it must be remembered that public records everywhere contain an undue proportion of "discipline cases."

The duties of the Company's surgeons for more

than a century from the first charter had been entirely civil, the medical care of the writers and merchants in the factories. But the French wars of the mid-seventeenth century made it necessary to maintain standing military forces, and with them military surgeons. The Government orders of 1764 establishing a regular service therefore created a combined service—military and civil—and regulated the "Establishment . . . appointment and succession" of the surgeons of the Presidency; in other words it dealt with the general "conditions of the service" as these would now be understood; and it covered the whole ground in a space roughly equivalent to a page of this book. It was the first of the many warrants that have regulated the Indian Medical Service; few of its successors have been as terse.

The principle of a combined service was soon questioned. The two branches were in fact separated in 1766; they were reunited in 1773, separated again in 1796 and again united in 1798. Thereafter the principle of a united service was never seriously called in question until 1924. It is interesting to note that among the objections taken to separation at this time was the necessity for maintaining the civil side as an integral part of the service, liable to recall as a reserve for the emergencies of war. The argument is still valid.

It is remarkable that even in 1764 the status of the Company's doctors was no higher than warrant officer. It was not until 1788 that they received commissions.

The history of the service in the next hundred years

followed the same general lines as that of the Company's combatant services. An important change was made in 1853, when it was provided by statute that admission to the service was to be by competitive examination, open to natural born subjects of His Majesty. But the principal landmark in this period is the grant of Queen's Commissions to the Company's medical officers on the transfer of powers to the Crown in 1858. Proposals for their absorption in a medical service of the British Army, a project revived in a somewhat different form in the recommendations of the Lee Commission in 1924, were long discussed and not finally rejected until 1864. It was not until 1896 that the three separate Presidency establishments were amalgamated into a single Indian Medical Service under the Government of India.

The work of the Indian Medical Service officers in the nineteenth century took a very wide range. Their medical work for India and their contributions to tropical medicine are too well known to require comment. It is not so generally realised that to them alone is due the foundation and development of Indian hospitals and Indian medical schools, and of an Indian medical profession looking to the west for its professional principles and practice. Nor were their activities confined to their own profession. Until the nineteenth century was well advanced the medical officers alone shared with the Military Engineers a scientific training, and hence to them many of what are now the scientific services owed their beginnings. Natural science in its early days in India was the domain of the Indian Medical Service.

We find its officers among the first Conservators of Forests and making the earliest contributions to the economic geology of India and to the study of its fauna. Their knowledge of chemistry marked them out for service in the Mints and, what is less easily explained, they became Postmasters-General of provinces. They have usually been placed in charge of jails. But the most striking instances of their versatility are Sir W. B. O'Shaughnessy who, joining the Bengal Medical Service in 1833, conducted the first experiments in telegraphy, became Director-General of Telegraphs and constructed the first telegraph line in India—from Calcutta to Agra—in 1854, and Sir George Robertson, Political Officer in Chitral during its siege.

No material change in the formal structure of the Service has taken place since the amalgamation of 1896. Its general functions can perhaps be best indicated by following the career of a young officer entering it early in the century. Admitted by competitive examination in England, the successful candidate after a short course of training at the Royal Army Medical College went out to India and did duty with an Indian regiment. He might remain in military employ all his career, passing from the medical charge of a regiment* by stages to the administrative medical charge of a military district, and so possibly to the charge of the whole Army medical administration at Headquarters. But the attraction of the service to many

* The regimental medical officer was abolished in 1918 and centralised station hospitals serving larger bodies of troops substituted for it.

of its best recruits was the wide and varied opportunity of medical work offered by the civil branch. After a period of service on the military side it was open to the young Indian Medical Service officer to apply for transfer to "civil," and at one time he could reasonably look forward to transfer after about eight years' military service. Here the standard employment is as surgeon of a civil station. His primary obligation is to afford medical attention to the members of the services and their families. But he is also in medical charge of the headquarters hospital and of the health of the district generally, and subject to the primary call of his official duties, he may engage in private practice. The attraction of this career to men much more interested in the practice of their profession than in administration was, and is, very great.

But a civil surgeoncy was not the only career offered to an officer in civil employ. The professorships in the Medical Colleges were open to those who had specialised in particular branches of their profession. The Political Department of the Government of India employs medical officers at the headquarters of its agencies in Indian states, a career with attractions of its own. Opportunities were provided for research work or for general health administration. In the administrative line the successful man might become Surgeon-General with a provincial government, and eventually Director-General, Indian Medical Service, the principal adviser of Government on civil medical matters. Prospects like these attracted to the Service recruits of a high standard over a long period of years.

Though no change has been made in the formal structure of the service since 1896, a change of control resulted from the Act of 1919. Hitherto direction and control had rested first with the Governor in Council, then with the Government of India, and finally with the Secretary of State in Council. But civil medical administration in the provinces is now a Transferred subject under the Governor acting with Ministers; and the Governor-General and the Secretary of State, by statutory rules under the Act, have in general terms declared their intention of not interfering with the discretion of the local government in this field of administration. It is, however, reserved to the Government of India to determine how many officers of the Indian Medical Service shall be employed in each province and the appointments which they shall hold. Further, the Secretary of State in Council retains control over all matters affecting the emoluments and general service conditions of Indian Medical Service officers.

The future of the Service is at the moment under consideration. The Lee Commission recommended that recruitment for the Indian Medical Service should cease, that the military medical requirements of the Government of India should be met by seconded officers of the Royal Army Medical Corps, and that so many of them as were necessary for the combined purposes of (1) a military reserve and (2) the medical care of the European services and their families should be lent to the civil administration. The remaining civil medical staff of the provinces was to be recruited by the local govern-

ments to a purely civil medical service. The final decision on these proposals has not been reached.

The Medical Board of the India Office is attached to the Military Department. It consists of two retired officers of the Indian Medical Service. Their principal duty is the medical examination of candidates for appointment to the Indian services and of officers on sick leave from India.

The President of the Board is also Medical Adviser to the Secretary of State. There is no separate Department of Health in the India Office, but the opinion of the Medical Adviser is taken before any medical question, military or civil, is decided.

The Indian Nursing Service

Up to 1887 the sick in Indian military hospitals were nursed by orderlies detailed from units, but in that year a nursing service of British ladies was instituted, largely through the efforts of Lady Roberts (wife of the Commander-in-Chief in India). After trial at a few military stations the system was extended to the military hospitals in India generally. In 1903 the Indian Nursing Service became Queen Alexandra's Military Nursing Service for India.

The nurses are recruited in this country by the Secretary of State, through a Selection Board of ladies of the British and the Indian Nursing Services. They are required to have high professional qualifications, for they not only nurse British officers and British soldiers but instruct nursing orderlies in their nursing duties and control their work. They also supervise the work of the matrons in charge of

the military family hospitals which are maintained for the care of the wives and children of British officers and soldiers.

The amalgamation of the Indian Nursing Service with the Imperial Service, which at present provides nurses for the British Army outside India, seems certain in the near future.

Chapter XIII

INTERNATIONAL CONFERENCES: EMIGRATION

International Conferences

India is an original member of the League of Nations and has been admitted to the Governing Body of the International Labour Organisation as one of the eight States of chief industrial importance. India has ratified the draft conventions on such varied questions as hours of work, unemployment, night hours for women and young persons, white phosphorus, rights of association for agriculturists, industrial weekly rest, minimum age for stokers, and medical examination of young persons at sea. During the last three years the Indian Legislature has to its credit an improved Factory Act and Mines Act, a Workmen's Compensation Act, and a measure for the protection of girls.

Her representation on these bodies is arranged by the Secretary of State and the Government of India, and has enabled ex-Viceroys, Indian Ruling Princes, high officials of the Indian Government and the India Office, and leading public men in Indian political life, to discuss world affairs with the representatives of the other members of the British Empire and of foreign States.* But long before

* Mr. Srinivasa Sastri was a member of the British delegation at the Washington Conference on Disarmament in 1921.

the League of Nations existed the Indian Government took part in international congresses and conferences on various questions, becoming, for instance, a member of the Universal Postal Union. Apart from the various conferences directly connected with the League of Nations, India has a share in the permanent committee of the Office International d'Hygiène Publique and the general assembly of the Institute of Agriculture, and takes a regular part in the international meetings on Geology, Meteorology, Navigation, Railways, Roads, Posts, Telegraphs, Radio-telegraphs and Aerial questions, and though she neglected the opportunity of making her voice heard on the problems of Phytopathology discussed at Wageningen in 1923, joined in the consideration at Geneva of Obscene Publications in the same year.

The glare of publicity that pervades Geneva has directed general attention to the opium question, but there has been far more readiness in some quarters to denounce the Indian authorities for producing and selling opium than to acknowledge the indisputable fact that India is the only country in the world which sacrificed £4,000,000 annual revenue to enable a foreign State to reform its own people. A Royal Commission considered the Indian opium question in 1893, reporting in 1895, and its conclusions explain the accepted Indian policy of limiting the cultivation of the poppy and securing for Government a monopoly of manufacture and wholesale supply. When China in 1908 made a genuine effort to suppress opium smoking, the Government of India entered into an agreement to

limit the export of opium to China, and in 1913 stopped it altogether, at the cost to Indian revenues cited above. India joined the Hague Opium Convention in 1912. The internal consumption of opium is strictly regulated, and export has been allowed only to countries whose Governments certified that the consignments were approved, and required for legitimate purposes. But in February 1926 the Government of India gave a public pledge to reduce progressively the exports of opium, so as to extinguish them altogether within a definite period, except as regards opium for strictly medical purposes, and to stop the system of auction sales in India. This notable step has been taken in order to fulfil in the largest measure India's international obligations, "and to obviate complications that may arise from the delicate and invidious task of attempting to sit in judgment on the internal policy of other Governments."

Emigration

Indian traders have gone to the East Coast of Africa on their lawful occasions for generations; the "Banians" of Zanzibar are a long-established community. Ceylon, of course, has always been closely connected with India, and the Malay Peninsula is almost within the Indian sphere; in fact Hindu culture centuries ago was carried as far as Cambodia and Java. But the modern problems of Indian emigration arise mainly out of the developments of British colonisation in Africa, the West Indies, and the Pacific, and are due to two conflicting factors—the need of British planters in tropical and

sub-tropical colonies for a regular supply of agricultural labourers, and the desire of British settlers in more temperate regions to establish purely European communities.

Canada, Australia, and New Zealand have in the past refused to admit British Indian subjects or imposed restrictions which made entry difficult. Their attitude was based on considerations which were clear, if unpalatable to Indian sentiment; they did not wish for any Asiatic admixture in their populations. This principle, whatever its local justification, made no distinction between Asiatic British subjects and alien Asiatics, and is an obvious hindrance to Imperial solidarity. But South African policy was differentiated by the fact that one colony which is now a province of the South African Union for half a century deliberately imported Indian labourers while showing dislike to the entry of Indian traders, put pressure on those labourers to return to India when their term of contract labour was ended, and refused to allow to the Indians who remained such rights and amenities as they considered due to them. It is true that the other provinces of South Africa had no responsibility or liking for the labour immigration policy of Natal, which began under Crown Colony Government. But it is not surprising that Indians regard South Africa as a country which has desired to exploit the usefulness of the humbler classes as labourers but has not regarded Indians as fellow-citizens.

The system of indentured labour emigration never completely washed away its birth-stain as

an arrangement for supplying cheap agricultural workers to sugar-growing Colonies in which the emancipation of negro slaves had paralysed the labour supply and threatened economic ruin. The engagement of Indian manual labourers under contract was sanctioned for Mauritius in 1834, British Guiana in 1838, Trinidad in 1844 and Jamaica in 1845, and was extended later to other British West Indian islands. The much more questionable policy of sending British Indians under indenture to foreign colonies was adopted for the benefit of France (Réunion, Cayenne, and the French West Indies), Holland (Surinam), and Denmark (St. Croix) between 1838 and 1872. The conditions in Surinam were fairly satisfactory and indentured emigration to that country was continued until the total abolition of the system in 1916. But the St. Croix experiment was a complete failure, and the arrangements in the French Colonies never worked well, and were brought to an end a generation ago.

For the purposes of Indian labour emigration an "emigrant" was defined as a person who departs by sea out of British India under an agreement to work for hire in any overseas country. It was obvious from the first that uneducated labourers might easily be misled as to the nature of their engagement, or actually decoyed by recruiters in Indian villages, and an elaborate system of safeguards was established. The indenture agreements were registered before magistrates in India, the ports from which emigration was lawful were defined, and Indian Government Protectors of Emigrants appointed to inspect the labourers before

embarkation. Strict conditions were laid down for feeding and medical care on the emigrant ships, and the Colonial Governments entered into engagements with the Government of India as regards conditions of employment, wages, inspection of estates and sanitary measures and facilities for repatriation (wholly or partly at the Colony's expense) when the period of indenture ended. The Indian Emigration Acts were gradually made more stringent; in 1856 the Government of India took power, which it used on occasion, to prohibit emigration to any country in which the labourers were proved to be improperly treated, and in 1883 further safeguards were enacted, but it was not until 1910 that a further Indian Act enabled emigration to any country to be stopped at discretion. Next year this provision was used against Natal on account of its unsatisfactory policy regarding the free Indian population, for the local authorities had not failed in their obligations towards the labourers while under indenture. The indentured system was examined by a Committee under Lord Sanderson in 1909, which made suggestions for reform and brought about the stoppage of further emigration to Mauritius, and the Colonies in which the system continued were visited in 1913 by two Government of India delegates, whose report, while pointing out the need of a number of practical improvements, gave no corroboration to certain sensational allegations of systematic ill-treatment.

The establishment in distant countries of bodies of Indian labourers whose speech was unintelligible to most of their employers was obviously open to

abuse. The worst feature of the system was the failure to insist upon a due proportion of women among the emigrants, with the result that immorality and crimes of violence marred the overseas communities. It was not until the system was moribund that it was realised that family colonisation was the only satisfactory method. The labour laws of some Colonies were for a long time so stringent as to result in disproportionate punishments for labour offences, but the principle of a "penal contract" for labour long existed in India itself in the case of workers going from other provinces to the tea-gardens of Assam. On the other hand, the labour emigration system established fairly prosperous communities of Indians in several Colonies in which the climatic and other conditions were suitable. These emigrants regularly remitted large sums of money to their relatives in India, and often returned at the end of their indentures with considerable savings, while facilities were usually given them, if they preferred to stay in their new homes, for earning good wages as free labourers or settling down on the land as peasant proprietors.

It soon became apparent that as an outlet for over-population in India the colonial demand for labour was too small and irregular to count for much. Lord Salisbury as Secretary of State in 1875 had invited the Government of India to embark on a policy of encouragement of emigration, but Lord Lytton's Government made it clear that there were strong objections to doing more than allow the Colonies the access already given to the Indian labour market. Indentured emigration has always

been unpopular amongst educated Indians. The conception of India as a supplier of coolie labour to the outer world was galling to Indian pride. Landowners in recruiting districts could not be expected to favour the tendency of agricultural labourers to leave India in order to obtain higher wages, and the growth of industrial enterprise in Indian cities, needing workers from the villages, stimulated the feeling against emigration. Indignation at the anti-Indian policy of certain Dominions reacted against Crown Colonies in which Indians were freely received as desirable settlers. The very strong anti-emigration feeling in India came to a head before the War, and Government abruptly stopped indentured emigration in 1916, utilising at the moment, rather paradoxically, a rule under the Defence of India Act, and next year definitely ended the system. The West Indian islands no longer desired labour immigrants, but British Guiana, and Fiji (which had for some forty years imported Indian workers) are anxious to attract Indian agricultural settlers, and negotiations have been in progress for several years, accompanied by colonial deputations to India and the visits of Indian delegates to those Colonies to inspect local conditions. If Indian agricultural emigration can be resumed, a matter of supreme economic importance to those two colonies, it must be by a system of family settlement, not short-time labour, accompanied by the extension to Indian immigrants of full political equality, which in British Guiana they already enjoy. An important political departure in India was marked by the new Emigration Act of 1922, under which

the definition of emigrant is extended to cover persons assisted to emigrate, though not under any agreement, and the approval of both chambers of the Indian Legislature is required for any scheme of assisted emigration of unskilled labourers or agriculturists. Mauritius was in 1924 temporarily allowed to import Indian labourers for Government work.

Indian labour emigration under the former system has had the result of permanently establishing Indian communities overseas which now number over 265,000 in Mauritius, 124,000 in British Guiana, 128,000 in Trinidad, 60,000 in Fiji, and over 30,000 in Jamaica, as well as the 140,000 in Natal whose position will be discussed later.

Ceylon and Malaya were allowed to recruit labour outside the provisions of the old Emigration Acts: of the one and a half million Indians in Ceylon some 700,000 represent labour immigrants, and over half a million are settled in the Malay Peninsula. Geographical proximity of course facilitates the transit of Indians to and from these countries, and the elaborate machinery for repatriation and other requirements necessary in the case of distant colonies was not needed here. Ceylon employers were allowed to recruit in the Madras Presidency by means of Indian "Kanganis" but the arrangements have been brought under stricter supervision. The main defect in the old Ceylon system was that Indian emigrants received advances of money from these "Kanganis" and too often found it impossible ever to free themselves from debt. The Straits Settlements belonged to the

Government of India until 1867, and there has been a constant flow of Indian migration. In 1872 a regular scheme of labour emigration was established, but the indenture system was abolished in Malaya and the Straits in 1910. The arrangements for assisted emigration to Ceylon and the Malay Peninsula have now, as explained above, come under the control of the Indian Legislature.

The question of Indians in the Dominions might be treated as entirely distinct from the problems of labour emigration were it not for the peculiar case of Natal. As a Crown Colony, this province, finding it impossible to induce the enormous Bantu (" Kaffir ") population to work regularly for European farmers, began to import Indians in 1860 under the same arrangements as the West Indies. Indian emigration was stopped for eight years in 1866, but then renewed until 1911. But there was a double influx of Indians to Natal, for traders, generally Muhammedans and misnamed " Arabs," came across from Bombay or passed down the coast from Zanzibar, entered as free immigrants, made their way into Cape Colony and the Transvaal, and aroused the dislike of the European shopkeepers, who largely control municipal politics in South Africa. Their numbers were reinforced by time-expired indentured Indians, for, though many of these settled down on the land as small agriculturists or market-gardeners, others found it more profitable to take to petty trading. Thus arose a sharp diversity of interest between the comparatively small section of European farmers and mine-owners in Natal who depended on Indian labour, and the

rest of the European South Africans, faced by very difficult native questions, and led by colour feeling, political views and economic interests to resent the entry of the Asiatic. When the union of South Africa was effected, it was obvious that the particular interests of Natal employers could not prevail against the general sentiment, and the Government of India by stopping labour emigration to Natal in 1911 only anticipated a step which the Union Government must inevitably have taken. Sweeping restrictions on the immigration into Natal of free Indians had been imposed as early as 1897. The £3 annual tax imposed on ex-indentured emigrants who remained in the colony was ultimately removed, but not before it had caused an acute feeling of grievance. India owes to South Africa the political training of Mr. Gandhi and a stimulation of racial antagonism both in Imperial and domestic affairs. Cape Colony, which has an old-established "Malay" community of Asiatic origin, has always treated Indians more favourably than its neighbours; but the South African Republic, while independent, vexed them by laws restricting rights of residence and employment, and these were more strictly enforced by the Transvaal when it became a province of the Union. It was hoped that the definite exclusion of further Asiatic immigration, except by special permit, would reconcile the white democracy of South Africa, freed from the dread of unlimited influx, to a more generous policy towards the domiciled Indians, but the hope has not been fulfilled. While Indian local leaders may have done little to conciliate their adversaries, and have shown little sense of proportion

in the presentment of particular grievances, a general sense of insecurity besets the Indian community, and hardly a year passes without proposals for some fresh measure which may affect their position. Inter-provincial migration is practically barred, since the Cape with an Indian population of about 6,000 and the Transvaal with some 10,000, having as separate political entities restricted Asiatic immigration, naturally did not desire their entry into the Union to open the door to the 140,000 Indians of Natal. But the voluntary repatriation now suggested of a community which has grown to this size and has existed for sixty years does not seem very promising, and new difficulties are at present under discussion between the Indian and South African Governments.

Kenya is constitutionally a Crown Colony, but the vigorous and enterprising European population in its Highlands regards the Asiatic question from the Dominion point of view. Inter-racial friction in Kenya is peculiarly mischievous because it is only in the East African group of provinces* that the Imperial Government has direct responsibility for holding the balance between a local European community with a strong anti-Asiatic tinge, and the obviously just constitutional claims of Indians to a status of equality in Crown Colonies. Indian traders had settled in the country before it came under the British flag, and Indian labourers were

* Uganda and the mandated territory Tanganyika have resident Indian communities but their presence has caused no acute difficulty. The same may be said of Southern Rhodesia, which, however, restricts the entry of Asiatics. The number of Indians settled in Kenya is about 25,000.

employed to make the Uganda railway, but the development of British colonisation has produced a political atmosphere similar to that of South Africa. Controversy has ranged round the questions of Indian representation in the Legislative Council, suggestions for the segregation of Indians in towns as a sanitary measure, the reservation of land in the Highlands for European ownership, and the effects of the intercourse of Indians of the lower classes with the native African population.

Australia, New Zealand, and Canada, resolutely determined to restrict future immigration to people of European stock, have avoided any discrimination against Indians by name and devised different means of achieving their object. Australia (like the Cape and Natal when they first adopted the exclusion policy) subjects immigrants to an educational test which formerly in the hands of local officials displayed useful qualities of elasticity. Canada made rules against the entry of persons who did not come direct from their country of origin—and there is no direct steamship line between India and Canada—and required Asiatic immigrants to possess a considerable sum of money. The Union of South Africa took power to prohibit the entry of any classes of persons officially declared to be unsuitable to the country, and decided, after nearly 150,000 Indians had settled there, that Asiatics were unsuitable. The Indian question in Canada* presents several

* Canada shares with the United States the habit of describing all the peoples of India, whatever their race or creed, as "Hindus," because in North America the term "Indians" is applied to the aboriginal people known to ethnologists as "Amerindians" but commonly called "Red Indians."

individual features. The immigrants were in nearly all cases Sikhs or other Punjabis who had gone to Chinese ports as police constables or watchmen or servants and were drawn across the Pacific by the high wages of lumbering and similar work in British Columbia. It is here alone that the Indian immigrants come from the hardy and martial stock of Northern India. Here, again, British Indian subjects, many of whom had served in the army, met somewhat less favourable treatment than Japanese, because Japan agreed with Canada to restrict the emigration of Japanese labourers, while the Government of India long clung to the doctrine that a practical arrangement restricting emigration but ensuring a better position for the Indians who were admitted would be fatal to the claim, absolutely unenforceable in practice, that Indians had a right to settle freely in any part of the Empire.

Fortunately the Imperial Conferences have done much to solve some of the difficulties. It was agreed in 1917 and 1918, by which time India's part in the War had made a wide and real impression, that each part of the Empire "should enjoy complete control of the composition of its own population by means of restriction on immigration from any of the other countries," and mutual arrangements were made for the admission of students and visitors for purposes of commerce or pleasure. India is free to discriminate against citizens of the Dominions. The claims of resident Indians to political rights were furthered by the declaration of the Imperial Conference of 1921,

which, while reaffirming the principle of reciprocity, recognised "that there is an incongruity between the position of India as an equal partner of the British Empire and the existence of disabilities upon British Indians lawfully domiciled in some other parts of the Empire." The Conference therefore recorded that "in the interests of the solidarity of the British Commonwealth, it is desirable that the rights of such Indians to citizenship should be recognised." But the South African representatives "in view of the exceptional circumstances of the greater part of the Union" regretted their inability to accept this resolution. In 1922 Mr. Sastri on behalf of the Indian Government visited, with satisfactory results, Australia (where about 2,000 Indians are settled), New Zealand (containing about 500) and Canada (where the number is now about 1,000) to confer with the Dominion Governments. At the Imperial Conference of 1923 Canada, Australia and New Zealand encouraged the suggestion for visits from Committees appointed by the Government of India, but General Smuts frankly explained the peculiar difficulties created in South Africa by economic factors.

The exclusion policy of the Dominions has of course greatly impeded the efforts of the Imperial Government in negotiations with any foreign Powers that were inclined to erect barriers against the entrance of British Indians. The Federal Government of the United States, while freely admitting students and temporary visitors, has barred the door against the entry of people from a large zone of Asia which includes India, while

State legislation has in some cases told heavily upon Indians who acquired land.

The new status of India has been recognised by the grant of powers of direct negotiation with Dominion Governments, and in 1924 the Government of India itself appointed a Committee in London to confer direct with the Colonial Office. For many years the India Office has been constantly engaged in difficult discussions with that Department on the problems arising out of legislation and executive policy in the Dominions, and on the results of labour emigration to Crown Colonies, and one of the most important duties of the Secretary of State for India is to see that the Indian point of view is presented as clearly as possible to the Imperial Cabinet and the Governments of the other members of the Empire.

Chapter XIV

THE LIBRARY AND RECORDS

The Library—The India Museum—The Imperial Institute—The Indian Scientific Departments—Indian Archæology—Literary Patronage—The Geographical Department—The India Office Records

The India Office Library

It is to the liberal policy of the East India Company that the India Office owes the possession of a fine Library.* Its collection of books is much more than an official reference library used for purely departmental purposes. The historian Robert Orme, whose close narrative of our struggles with the French in Southern India is perhaps more honoured than perused in these hurried days, was Historiographer to the Company in the closing days of the eighteenth century, and urged insistently upon the Directors the advantages of forming a collection of Oriental manuscripts and printed books. Though he did not live to see the Library formed at the East India House in Leadenhall Street, it was created at his suggestion, and enriched by his bequest to the Company of his large collection of

* The India Office Library has been described by Mr. F. H. Brown, C.I.E., in "The Library," July, 1904, and *The Pioneer Mail* of Allahabad, August, 1904, and by Mrs. Storey ("James Cassidy") in "The Indian Magazine," July, 1906. I am indebted to these articles for several interesting particulars.

books, manuscripts, maps and letters. In 1801 the Directors established the Library, ordering that "all printed books at present dispersed about the House and warehouses, not in use in the several departments, be deposited in the Library, together with any articles of curiosity that can be collected within the House or warehouses." An appeal made to the servants of the Company to foster the new institution met with generous response, Mr. Colebrooke presenting his wonderful collection of 2,000 volumes of Sanskrit manuscripts. The Hamilton Collection of Oriental, Portuguese and Dutch manuscripts, Mr. Brian Houghton Hodgson's Tibetan manuscripts, Colonel Phayre's Burmese collection, and Colonel Mackenzie's Tamil manuscripts are notable features of the Library. The Royal Society, some forty-five years ago, deposited at the India Office its collection of Oriental manuscripts. The Oriental manuscripts now number some 13,000: the Sanskrit series is probably the finest in the world, and the other ancient languages of the Indo-Iranians, Pali Zend and Pahlavi, are well represented, while in Arabic and Persian the Library is exceptionally rich. Its scope ranges as far afield to the East as Chinese, Malay, Javanese and Siamese, while Syriac and Ethiopic are represented. There is an extensive range of manuscript works in the modern Indian vernaculars. While the chief literary treasures are in manuscript, every effort has been made to compile a comprehensive library of Oriental printed books, not only in the "classical languages," Sanskrit, Arabic, and Persian, but in the current tongues of the Indian Empire.

A notable series of Sanskrit scholars has presided over the Library during the hundred and twenty years of its existence. The first of the Company's Librarians was Sir Charles Wilkins, who co-operated with Sir William Jones in founding the Asiatic Society of Bengal, and after his return to Europe took a leading part in the inauguration of that junior, though now venerable, institution, the Royal Asiatic Society of London, which from its foundation has been aided by the Company and by the Secretary of State in Council. Wilkins remained in harness until well over eighty, and was followed by Professor H. H. Wilson, who passed from the Company's to Government service and saw his charge moved from Leadenhall Street to Cannon Row, but died before the new India Office in Whitehall became its permanent home. He was followed by Dr. James Ballantyne, Dr. Fitzedward Hall, Dr. Reinhold Rost, Mr. C. H. Tawney (who, like Dr. Ballantyne, had served in India as an educational officer) and Dr. F. W. Thomas. Care has also been taken to provide expert knowledge in the classics of the Indian Muhammedans as well as those of the Hindus: thus the last three Assistant Librarians have been men of recognised attainment in Arabic studies—Dr. (now Sir Thomas) Walker Arnold, Mr. Ellis and Mr. C. A. Storey. Real service has been rendered by the India Office to Oriental scholarship, not only in this country, but throughout Europe. Manuscripts are lent, of course under strict conditions, to accredited scholars in other countries as well as at home, and the Reading-room has been and is a workshop of industrious

Orientalists, among whom may be mentioned the late Sir Charles Lyall. His translations of "Ancient Arabian Poetry," published while he was a member of the Indian Civil Service, opened to English readers stirring pages of the pre-Islamic bards of Arabia. On retirement from twelve years of administrative work at the India Office Sir Charles Lyall remained a well-known figure in its Library, where he completed his edition and translation of the Mafaddaliyat, an anthology of ancient Arabian odes.

It is not only, however, as a treasure house of Orientalism that the Library justifies its existence: it possesses some 130,000 printed books, and is intended to be a repository of all important publications in English and the languages of the Continent on Indian subjects. Indian Government publications are stored in the Records Department of the India Office, only a selection being placed in the Library for the benefit of readers (who can, however, obtain any non-confidential Reports from the Records). But any unofficial publications about India which are considered of permanent value or interest find their home in the Library. Its range has in the past been very wide, and perhaps the manifold nature of the intellectual interests connected with Indian studies can best be appreciated by a glance at the catalogues. How far the India Office Library should spread its tentacles has always been a difficult problem. The Company's early connection with the Chinese trade is responsible for the acquisition for many years of as complete a collection as possible of books about China. But considerations of economy and of official needs,

quite apart from those of space, have properly limited the collection in more recent years. The original purpose had been laid down as that of "an institution which should become a permanent receptacle for everything connected with Oriental lore, so as to assist the members of the services whilst at home on furlough, and also to promote the study of everything connected with the East." In 1877 the Library Committee of the Council of India considered that "the main object is to obtain a complete collection of works relating to the East, and more especially to India, and the countries adjoining it, including the Russian Empire." They also noted the necessity of keeping for official use "works of reference and publications bearing on administration and government." But eighteen years later it was found necessary to lay down stricter limits. While all new books of any value dealing directly with Indian matters are acquired, a careful selection is now made among works with a less immediate bearing on them, whether general treatises on subjects—such as comparative religion, law, or language—which Indian administrators or students would find relevant to the study of distinctively Indian subjects, or books on other Asiatic countries that treat of their relations to India. An Indian Act of 1867 placed at the disposal of the India Office Library a copy of every book printed in India in any language, and this produced a flood of miscellaneous matter. It is obviously unnecessary to get either every new vernacular publication, or every English school-book printed in India for local use, and strict discrimination is now exercised in indenting

on India for new publications. In consequence of this Act, of gifts and of exchanges, it is estimated by the Librarian that probably only about one-twentieth of the annual acquisitions come by purchase. It is never easy to adjust the by no means extravagant Library budget between purchase of new books, binding, and cataloguing—a continuous and laborious process, involving from time to time the temporary engagement of outside help. The Library, though primarily intended for the use of the Indian Services and the India Office, is open to readers under rules published in the annual India Office List, and the average annual number of visitors to the Reading-room is about 2,000.

The India Museum

The original scheme of Sir Charles Wilkins included a Museum (as the Directors' reference to "articles of curiosity" shows), and for over seventy years the two institutions lived side by side. But the top floor of the India Office was not an ideal position for a museum, and in 1874 the Secretary of State in Council, urged by Dr. Forbes Watson (the official Reporter on Indian Products) determined that if the Home Government would help, a great Indian Museum and Library should be built on the further side of Charles Street, but failed to secure the necessary co-operation, and other Government offices now stand on the coveted site. So the Library was severed from its twin institution, and the "curiosities" were distributed between South Kensington, Bethnal Green, the Royal School of Mines, and Kew, with the result

that the Victoria and Albert Museum has come to possess an important Indian section.

The Imperial Institute

India has also taken a large share in the foundation and maintenance of the Imperial Institute at South Kensington. When the scheme was started in 1887, contributors from India provided £114,500 of the original capital of £429,000, while further special gifts amounting to £32,500 were made for a hall, pavilion and corridor. The Ruling Princes showed a munificent interest in the idea of commemorating Queen Victoria's Jubilee by the permanent establishment of an Institute* intended " to illustrate the development of agricultural, commercial and industrial progress in Our Empire," to promote technical and commercial education, and to provide what may be termed an Imperial clearing-house for economic and commercial intelligence. The Secretary of State for India has from the first taken part in the management, and the Government of India has regularly contributed to the cost. Thus in the years 1892 to 1920 the annual payments made by the India Office aggregated £46,000. In return the Institute maintained a collection of Indian economic exhibits, provided enquirers with commercial information about India, and undertook research on Indian raw materials. The marked development in India during the last generation of scientific departments has multiplied the facilities not only for

* The somewhat chequered history of the Institute is summarised in Cmd. paper 1997 of 1923. " Report of the Imperial Institute Committee of Enquiry, etc."

local research but for providing information on the economic products of the country. The justification, therefore, from the point of view of the taxpayer, of continuing to the Imperial Institute substantial grants from Indian revenues, was necessarily re-examined, and the Government of India became more than doubtful whether the Indian contribution (which up to 1923 was £1,400 a year, appreciably more than that of all the Self-Governing Dominions put together) should not be withheld. As a result, however, of the reconstitution of the Institute in 1924, the Secretary of State is one of the Trustees, the Government of India is represented on the Board of Governors, and the Indian Legislative Assembly is to be invited for the present to make an annual grant of £1,200. The services which India might expect from the Institute in its original form had been modified not only by the advancement of practical science in India, but by the establishment in England, since 1887, of two very important new bodies, the Department of Scientific and Industrial Research and the Imperial Mineral Resources Bureau. By the 1924 settlement the Imperial Institute has been amalgamated with the latter.

The Indian Scientific Departments

The contributions made by official departments in India to scientific knowledge are far more considerable than can be stated here, and it would be misleading to claim that the India Office had very much to do with them. But on the whole both the East India Company in its later days and the

Secretary of State in Council have a creditable record as regards the encouragement and support of the actual investigators. The immediate needs of administration in a country so completely uncharted as was India when British rule became established supplied a motive for practical scientific effort. A beginning of statistical survey was made in Bengal as early as 1769, though it was not until 1867 that a survey of every British province was ordered. The work of Sir William Hunter as Director-General of Statistics (from 1870 onwards) culminated in the production of the excellent Imperial Gazetteer of India and its Provincial Supplements, whilst the series of Indian Census Reports since 1881 have not only supplied a model for work of the kind, but have through the enthusiasm of Indian civilians such as Baines, Ibbetson and Risley provided contributions of first-rate importance to the advancement of anthropology and the study of early religions. The Linguistic Survey, with which the name of Sir George Grierson is linked, has thrown light alike on the problems of comparative philology and the mentality of primitive folk. The chaotic reproduction in English of Indian place and personal names ("Isle of the Bats" for Allahabad is an extreme instance) could not be permanently tolerated, and great controversy attended all attempts to establish a system. The so-called phonetic system was open to the objection that the English language has no constant values for its vowels and little for its consonants. A "scientific" system seemed preferable if only any two authorities could agree. The alphabets of

Indian vernaculars differ as greatly from each other as from the Roman. The "Hunterian" system, while it is not absolutely logical, and gives arbitrary values to certain letters, seems, on the whole, to have justified its official adoption, a general approval of which was conveyed by the Secretary of State in 1872. No system that the mind of man or angel could conceive would prevent seven out of ten Englishmen from invariably mispronouncing alien words. The India Office from time to time receives representations, the fruit of earnest study, in favour of phonetic reform or of simplifying the writing of Indian languages by decreeing the general adoption of Roman script for official purposes. But (unlike the American Missionary Board which sternly chided a missioner returned from "Benares," when he pronounced the name in the orthodox trisyllabic way, because, after prayerful consideration, they had decided that it was "Bee-nairs") Whitehall refers these difficult problems to the authorities in India.

The India Office was for many years directly responsible for the annual Statistical Abstract presented to Parliament, a work hardly to be recommended for light reading, but has not had any very close connection with the more technical departments of the Government of India. These have, for the most part, evolved gradually, but the sanction of the Secretary of State in Council has been required for their establishment on a systematic basis, for the constitution of the several cadres and for the fixing of the pay and terms of service of the higher staff. The great Survey of India Department, with its headquarters at Dehra Dun in the United

Provinces (also the centre of Forestry research and of the training of Indian recruits for the Forest Department) may be said to have originated in the appointment in 1767 of Major Rennel as Surveyor of the Company's dominions in Bengal, and in the "mathematical and geographical survey" begun by Colonel Lambton in the Deccan in 1800, under the direct encouragement of Colonel Arthur Wellesley, afterwards Duke of Wellington. The present department arose from the amalgamation in 1876 of the existing Trigonometrical, Topographical and Revenue Surveys. The name of Sir George Everest (Superintendent of the Trigonometrical Survey from 1823 to 1843) is perpetuated in the highest peak of the Himalayas. As early as 1818 he set his assistant, Dr. Voysey, to begin geological survey work, and this was started more systematically by Dr. Oldham in 1856, but the Geological Survey Department was not established until 1876. Officers of the Royal Engineers have played a leading part in the Indian Surveys, and Indian subordinates have done much exploration of a hazardous and adventurous kind beyond the frontiers of India.

Astronomical work was pursued throughout the nineteenth century, and in 1875 the Meteorological Department was established. The practical importance of observation of the monsoons is obvious in a country where the failure of the rains means misery to the cultivator and financial stringency through the whole field of administration, and the storm warnings issued by the department are a life and death matter to shipping in the Indian seas.

Indian Archæology

The early works of man in India provide as fascinating a study as the operations of the forces of nature, but, in spite of the individual efforts of Government officers, the story of Indian archæology covers chapters of official neglect and ignorant desecration. The early nineteenth century was terribly utilitarian, and perhaps the high water-mark of the scorn of the practical Englishman for relics of musty antiquity was reached when an inscribed pillar of the Emperor Asoka was used as a road-roller, a purpose for which no doubt its size and shape were admirably adapted. Archæology is not every man's hobby, and when we remember the constant destruction in these islands of prehistoric remains and mediæval buildings by farmers and townsmen alike, we can hardly reproach the peoples of India for indifference to the monuments of their own past. But in fact Hindus, until affected by European culture, were strangely indifferent to the claims of history, and the magnificent architectural work of Muhammadan rulers was often neglected by their descendants. Anyone who has visited the wonderful series of mediæval tombs that covers the plains for miles to the south of modern Delhi must be struck by a notable difference between Muhammadan and Western ideas about the memorials of the dead. In Europe a cathedral became not only the centre of religious worship but the place in which it was thought fitting to commemorate famous men. In Hindustan, however, while great congregational mosques

like the Jama Masjid of Delhi have provided permanent places of worship, a separate tomb, often with a mosque attached, was built for each great ruler. (It must be remembered that here a "tomb" means not only the actual resting place of the dead, but very often, a magnificent building—such as the Taj Mahal at Agra or Humayun's Tomb near Delhi—erected over the grave.) Princes of successive dynasties find a common resting-place at Winchester or Westminster, but almost every Emperor of Delhi was given his own huge mausoleum, and as dynasties fell and were forgotten, their monuments were left to decay. We have sometimes been guilty of vandalism in India, but we have done more than any Indian rulers to preserve the memorials of the past, and if enlightened Indian opinion is now alive to the duty, as a matter of national pride, of guarding the great works of Indian architects, the impulse has largely come from England. Lord Canning in 1860 appointed Sir Alexander Cunningham to take charge of archæological work, and, as far as in it lay, the India Office has encouraged the efforts of those Governors-General who realised the importance of the subject. Sixty years ago the Secretary of State in Council urged that "the preservation of the historical monuments of India and their accurate description by competent observers were objects well deserving the attention of Government," and though the Government of India under Lord Lawrence abolished the six-year-old Archæological Department, the Duke of Argyll as Secretary of State pressed for its restoration. Dr. Forbes Watson of the India

Office drew up in 1869 a report on the best means of illustrating the archaic architecture of India, though it was left to a non-official, James Fergusson, to produce the first notable book on Indian architecture, which may be said to have paved the way for all later students. Archæological work when reopened was left in the hands of the several Provincial Governments (in 1874 the Secretary of State had to urge Madras to fall into line), and it was not until the enthusiasm and energy of Lord Curzon were brought to bear that the work of archæological survey was put on a fitting basis. Lord Curzon's dismay at the appalling results in certain places of neglect or of unintelligent restoration galvanised officialism into energy. Not only have the well-known monuments of the past been placed at last under competent guardianship, but the explorations and excavations conducted by Sir John Marshall, the Director-General of Archæology, have recovered forgotten chapters of Indian history. Admirable work has been done in the field, and the museums at Calcutta, Madras, Lahore and Peshawar, have provided students with inspiring collections of Indian sculpture and ancient relics. The Government Schools of Art, at first too much inclined to force incongruous Western methods on Indian students, have come to understand the beauty and value of the Indian fine arts. But there is still abundant scope for such unofficial activities as those fostered by the India Society of London and kindred associations in India. It can fairly be said that the India Office, while claiming no *expertise* in the worlds of art and archæology, has

on occasion opposed successfully the efforts of "sophisters, economists and calculators" to withdraw Government aid from archæological research.

Literary Patronage

The London School of Oriental Studies in Finsbury Circus has from the first been subsidised by the Secretary of State in Council, who is represented on its Governing Body. Apart from any questions of encouraging, on general principles, the teaching in England of Indian languages, he is directly concerned with this School, as with the Indian Institute at Oxford (for which also a grant is made), because Selected Candidates for the Indian Civil Service who pass their period of probation at London University now receive their instruction at the Oriental School, while the lectures to Indian Civil Service probationers at Oxford are delivered in the Indian Institute there.

How far the Government of India and the India Office should support from State funds the publication of works of learning is a difficult question which in the past has been answered with varying degrees of liberality. Given the conditions of Indian administration, it is of direct interest to Government that there should be good dictionaries and grammars of the Indian languages. Scientific works on Indian subjects do not stand in quite the same position and when we pass to history, theology, and literature in general, more difficult questions arise. The patronage of letters is a fine tradition in Asia. Students of Persian literature will remember how Mahmud of Ghazni was satirised for his

niggardliness to poets while other monarchs were lauded for their generosity. State patronage was capricious. Sa'adi complains that a king might punish for a compliment or reward an insult with a robe of honour. But the principle has always been acknowledged in India, and the British authorities, though they have never appointed an Indian laureate, recognise the learning of distinguished Pundits and Maulvis by honorific titles and pecuniary grants. There would be obvious objections to the award from Indian funds of literary pensions to European writers, and it is rightly held that authors in this country, even if they have devoted their studies to Indian matters, must look (not very hopefully, perhaps) to the British Civil List pensions for aid if they fall into need. But the case is rather different as regards the provision of financial aid for the actual production of learned works which will be of service to India. A Secretary of State was responsible for the production under the editorship of Sir Joseph Hooker of the great work on the Flora of India, and the elaborate and comprehensive series of works on the Fauna of India, now under the editorship of Sir Arthur Shipley, is supported by the India Office. The Committee of 1877, already mentioned, laid down the sound principle that "it is inexpedient to expend the revenues of India in literary patronage, except in cases where it appears that the work itself will be useful to India, and when either from its costliness or other causes, its publication cannot be expected to repay private enterprise." Patronage in the form of ordering a very large number of copies of a book had been somewhat

indiscriminately applied in the past, but a definite "Literary Grant" was established after the report of this Committee. This has varied in amount, and has had to cover not only patronage of new works, but the expenses of the Library (other than the salaries of its officials) the publication of Library catalogues, and all outlay on repairing, binding and occasionally publishing the India Office Records. Amongst non-official publications which have been "patronised" by the India Office may be mentioned the Sacred Books of the East, the Encyclopædia of Islam, Hunter's "Indian Empire," and Schlich's "Manual of Forestry," besides several Anglo-Oriental dictionaries. It has been arranged that for the future all questions of literary patronage outside India shall be handled by the High Commissioner in London.

The Geographical Department

The India Office, which possesses a very large collection of maps, maintained for some years a separate Geographical Department, over which Sir Clements Markham presided. He rather fancifully traced the spiritual ancestry of his office back to Archdeacon Richard Hakluyt, appointed Historiographer to the East India Company in 1601, and his legatee the Rev. Samuel Purchas. At the end of the eighteenth century the Admiralty and the East India House shared a Hydrographer, but later on Sir Charles Wilkins, the Librarian, was in charge of the Indian geographical records. The great Atlas of India was begun in London by Mr. John Walker, who passed from the East India House to

the service of the Secretary of State, but the work was transferred to India in 1869. In the preceding year Mr. Markham had been put in charge of geographical work at the India Office, and his ten years' tenure of the post was marked by great activity, incidentally chronicled in his interesting Memoir* on the work of the scientific departments in India. From the continuation of the record by Mr. Black† we learn that in 1875 the Auditor paralysed the unfortunate geographical staff by calling for a complete detailed account of the stock of maps. One can picture weeks of dusty activity spent in unrolling bundles and counting their contents. The branch was not quite choked, but after Sir Clements' retirement it took a subordinate place, and finally found shelter in the Registry and Records Department.

The India Office Records

This department was formed in 1884: the earlier arrangements for handling Indian Records have been so fully described by Sir William Foster in one of his publications‡ that it is unnecessary in these pages to attempt to repeat the story. The department took over two definite functions, the handling of current correspondence and the custody of historical documents. A very good system of registration of papers is applied by the Registry

* "A Memoir of Indian Surveys," by Clements Markham, 2nd edition, 1878.

† "Indian Surveys, 1875-1890," by C. E. D. Black, 1891.

‡ "A Guide to the India Office Records, 1600-1858," by William Foster, C.I.E., London, 1919.

branches attached to each department, while the Central Registry and Mails branch, Telegrams branch and Parliamentary Records branch serve the whole Office.

Just as history has been defined as past politics, so current departmental papers by lapse of time become "records" and pass from the registries to the Records branch. In Government offices as in private households a balance must be struck between the rival human tendencies to destroy old letters as rubbish and to treasure every scrap of print or writing, and the weeding out of superfluous matter before departmental papers are bound up into volumes requires a nice discrimination. The India Office is more fortunate than most of the other branches of the Home Civil Service in that the Government Secretariats and Record Offices in India can sometimes supply for the benefit of the historical student papers that have not been preserved in London. Apart from actual correspondence between the Home and the Indian Governments, the latter produce annually an enormous mass of printed matter, either published for official use in the shape of Gazettes, "Proceedings" of their departments (i.e. reprints of the most important correspondence), Administrative Reports, and special reports on subjects so diverse as forests, fisheries, agricultural co-operation, archæology, educational progress or criminal tribes. The India Office receives copies of all these.

The historic Records cover not only the story of British intercourse with India, but a mass of information about the Asiatic policy of other

European Powers, and details of the Company's activities in regions as widely apart as St. Helena and the China Seas. The old General Records are open to students, while access to the older "Secret" papers kept in the Political Department, dealing with the conduct of Indian foreign policy, is allowed under special conditions for purposes of serious historical research. Much has been done in the way of calendaring, and the textual publication of, the East India Company's letters to its servants in the East; while a series of writers on Indian history, among whom may be mentioned Sir George Birdwood, Mr. F. C. Danvers, Mr. Sainsbury, Mr. S. C. Hill, Sir George Forrest, and Sir William Foster, have given to the public the results of their researches in the India Office Records.

Chapter XV

THE HIGH COMMISSIONER FOR INDIA

The Stores Department—The Students Department

The High Commissioner is an officer of the Government of India located in London, who acts under instructions from his own Government, and whose establishment is entirely distinct from that of the India Office.

Lord Crewe's Committee in 1919 considered that "the time has come for a demarcation between the agency work of the India Office and its political and administrative functions, and that the step would commend itself to all classes of opinion in India as marking a stage towards full Dominion status." It therefore recommended the transfer of all agency work to "a High Commissioner for India or some similar Indian Governmental representative in London." The Act of the same year made provision for the appointment of a High Commissioner by His Majesty by Order in Council, which might delegate to the new official any of the contractual powers of the Secretary of State in Council, and prescribe the conditions under which he should act on behalf of the Government of India or any Provincial Government.* The necessary Order in Council was made on August 13th, 1920, and Sir William Meyer, ex-Member of

* Cmd. 207 of 1919, p. 11. Government of India Act, S.29A.

the Governor-General's Executive Council, was appointed to the new office, with an Indian, Mr. J. W. Bhore, also a member of the Covenanted Civil Service, as Secretary. The latter acted for six months as High Commissioner after the death of Sir William Meyer in 1922, and next year Sir Dadiba Dalal, a Parsi non-official who had been a Member of the Council of India, was appointed. On his resignation at the end of 1924 the office was conferred on Sir Atul Chatterjee, an officer of the Covenanted Civil Service, who, like the first High Commissioner, had been a Member of the Governor-General's Executive Council. The Indian High Commissioner enjoys the same status as his Dominion colleagues.

Certain classes of work obviously of an "agency" character were at once transferred from the India Office, such as a large section of the accounts, and the purchase, inspection and shipment of stores. But the line of demarcation was not easy to draw.

From the description already given of the position and responsibilities of the Secretary of State in Council towards the higher Services, it will be clear that questions of policy are involved in the recruitment of officers of the All-India Services, who are, therefore, still appointed by, and enter into engagements with, the Secretary of State in Council. The High Commissioner arranges for their probationary training and their passages to India, and to his Office has been transferred all the work connected with the payment of civil leave allowances and pensions, as well as the arrangements for civil officers sent to Europe for courses

of special study. The India Office retains all Military matters. Recruitment for the Government of India Central Services is at present for reasons of practical convenience divided between the two offices. But the High Commissioner selects men for the miscellaneous appointments under the Government of India, and any recruits, such as the Bengal Pilots, whom a Provincial Government wishes to engage in England. Amongst the functions that he has taken over comes the general supervision of India's participation in Imperial and International Exhibitions. He is closely concerned with the representation of Indian economic and commercial interests, and the Indian Trade Commissioner in London is now attached to his staff.

The Stores Department

The India Store Depôt at Lambeth, long maintained by the Secretary of State, has been transferred to the new authority, with the Stores Department, which has migrated over the river. The purchase of Government stores for India is a very large business, resembling that conducted by the Crown Agents for the Colonies, and the secretariat officials concerned with it are now housed with the technical experts who examine samples. The inspection of ships which carry Government stores is carried out by officers attached to the Stores Department, and the handling of the prize ships allocated to India during the War, which, under the control of the Shipping Adviser to the India Office was a conspicuous success, passed, with the services of that officer, to the High Commissioner

before the arrangement came to an end. Indian opinion is rightly desirous of supplying in India as far as possible the material needs of Government, and war conditions, with the interruption of ocean traffic, greatly increased the local production of manufactured articles. Out of the Indian Munitions Board has arisen the Government of India Stores Department, but the High Commissioner is employed to purchase such goods as the Government of India find it necessary to obtain from Europe. He is bound by the instructions received from India, where the development under the Reforms of the principle of fiscal autonomy has stimulated the interest of the Legislature in such matters. His headquarters in Grosvenor Gardens contains fine examples of Indian timbers used as wall panels.

Destitute Indians

Dominion High Commissioners in London perform many functions of a consular nature, and the High Commissioner for India is the authority to whom Indians stranded in this country appeal. The Secretary of State has no legal obligation to repatriate to India at the public expense Indians who become destitute here, except lascar seamen, but he found it possible to help on occasion cases of genuine distress. There have been pathetic cases of unsuccessful litigants of the peasant class who sold their little property in order to come to London to make an appeal for justice to the King-Emperor in person, or of Indian conjurors or actors engaged by dishonest managers and cheated and left destitute

on the Continent, whence the local British consul sent them to England. This malpractice was checked by a stringent section added to the Indian Emigration Act. The Strangers' Home for Asiatics in West India Dock Road, Limehouse, an admirable institution far too little known to or supported by the public, can give temporary shelter to such, and has often helped the official authorities to arrange for the repatriation of deserving persons. A small society with headquarters at 21, Cromwell Road, the Distressed Indian Students' Aid Committee, exists to help young Indians of the educated classes who fall into difficulties here, often because their parents do not realise the heavy cost of education and maintenance in England.

Indian Students

The Indian student in England often presents a more difficult problem than he is himself willing to admit. Admirable qualities are shown by many of these young men, but their knowledge of life when they arrive here is narrow, and, highly creditable as is the success which the majority of them achieve in their studies, the difficulties of unfamiliar customs and a strange language press hardly at the outset. Government scholars, selected at Indian Universities for special courses of study in England always came under the official guardianship of the India Office, but all others were obliged to make their own arrangements. Two non-official societies in London,* the National Indian Association and

* The Indian Gymkhana Club, and the Indian Y.M.C.A. Students' Union and Hostel, deserve mention as entirely

the Northbrook Club, existed mainly to provide meeting-places for young Indians and to foster friendly relations between them and English people, while a third, the East India Association, organised debates on Indian questions. But clubs do not fulfil the primary needs, and Indian students often suffered from the difficulty of finding suitable lodgings, and from lack of advice as to the best way of managing their usually small incomes. In 1907 Lord Morley appointed a small committee with Sir William Lee-Warner as chairman, "to inquire and report upon the position in this country of young Indians who come to England, otherwise than as Government scholars, to study for University degrees, or for the Bar or other professions; and to make recommendations." Their recommendations* resulted in the creation of a Bureau of Information for Indian students at the India Office in 1909 under Dr. (now Sir Thomas) Arnold, and in the establishment next year of a hostel in Cromwell Road at which students immediately on their arrival in London could be housed, and advised as to permanent quarters, and in which the National Indian Association and the Northbrook Club were installed. In 1912 the Bureau of Information was

non-official institutions of more recent origin. The latter, which has no religious propagandist aim, offers at times a rather stimulating diet of debates on highly controversial subjects, but no one can enjoy its hospitality without being impressed by the real services it does to young Indians, and by the excellent spirit of camaraderie that it has established.

* Lord Minto's Government at the time deprecated the publication of this Report, which discussed frankly and temperately, in 4½ out of its 34 pages, the tendency of many of the students to

enlarged into an Indian Students' Department at the India Office under Mr. (now Sir Charles) Mallet. A system of Advisory Committees in correspondence with the Department was established in the principal Indian cities. The Department accepted the actual guardianship of youths whose parents desired this, and tried to supply to all Indian students who sought its help information as to educational facilities and to suitable quarters, and to aid them in obtaining admission to Universities, Inns of Court, hospitals, engineering and other technical schools, and manufacturers' works. In 1920 it was transferred to the High Commissioner. Next year the Secretary of State appointed under the chairmanship of the Earl of Lytton a committee of ten, with four Indian members, to report on "the adequacy of existing arrangements in India for facilitating the access of Indian students to the United Kingdom" and on questions connected with Indian students here. But as the Legislative Assembly refused to vote funds to enable the Committee to visit India, the primary object of its appointment could not be attained. Its Report,* however, is one of great interest, containing much information not to be found elsewhere. The Committee's recommendations that the Indian Students' Department should

association with extreme political views, and the Secretary of State could not in the circumstances press the matter. Consequently, for fifteen years a cloud of suspicion enveloped the Students' Department.

* "Report of the Committee on Indian Students, 1921-22," with Evidence. H.M.'s Stationery Office, 1922. The full text of the Report of the Lee-Warner Committee of 1907 is printed as an Appendix.

be brought to an end and the Cromwell Road Hostel abolished were not accepted, but its opinion that the development of education in India affords the only permanent solution of the problem can hardly be disputed and is already bearing fruit. The main attraction of the British Universities in the past was due to the system that confined the higher openings in the Government services to men appointed in London, and to the advantages conferred on legal practitioners in India by Call to the Bar here, a question which is being considered by the Indian authorities.* Though Indian students still come in greater numbers† than the older Universities can admit, the fact is being increasingly recognised that post-graduate studies and technological courses afford the chief advantages to be derived by Indians from completing their education in this country.

* Lord Haldane's advocacy of the creation of an Indian Bar is expressed in pp. 157-159 of the Lytton Committee's Evidence.

† The Lytton Committee estimated the number of Indian students in the British Isles at the end of 1921 at 1,450. There are probably some hundreds in the United States, while France, Germany, Switzerland and Japan attract an appreciable number.

Chapter XVI

THE INDIA OFFICE AND ITS STAFF

The Building and its Plenishings

"The India Office," wrote Sir Alfred Lyall to a friend, "is comfortable and convenient, but rather depressing." For him, as for many other distinguished Indian administrators, it was the building in which for a few sedentary years at the end of a stirring Indian career they rendered their final services to the State. "The India Office," said an enthusiastic Member of Parliament after an interview with a somewhat sceptical official to whom he was denouncing alleged abuses, "is like Hell. I paced along miles of gloomy corridors, and at the end I met the Devil himself!" It must have melancholy associations for officers on sick leave who come to learn from a Medical Board that their Indian service is over, but possibly a more cheerful character for the numerous pensioners who like to draw their payments in person.

The exterior of the India Office with its flagstaff tower is seen at its best from the suspension bridge over the water in St. James's Park, and the trees and waterfowl of the park make the building a more cheerful prison-house for that part of the staff inhabiting the west side than it is for their colleagues who look out (if they have time) on the Foreign Office quadrangle or the narrow thoroughfare of

King Charles Street. It was not ready for the Secretary of State and his officials until 1867, so that for nine years they had worked first at the old East India House in Leadenhall Street (sold in 1861, demolished and replaced by City offices) and then in the building which afterwards became the Westminster Palace Hotel. In the meantime the "battle of the styles" had raged round the new block of Whitehall Government buildings. Mr. Charles Whibley in his recent book on Lord John Manners has described how Gothic architecture was identified with Conservative politics, and how the return of Palmerston to power in 1859 entailed the triumph of the Italian style. Sir Gilbert Scott had to convert his original Gothic design for the exterior of the India Office* into one of rounded arches, but found means of utilising in St. Pancras Railway Station the mediævalist conceptions which triumphant Liberalism regarded as too antiquated for a Government office. Governors-General were used instead of gargoyles for external decoration, and the conscientious sightseer who turns his back on the park pelicans and scans with a field-glass the façade of the building may distinguish the stone effigies of Lord William Bentinck and his seven successors, and speculate on the symbolic figures which represent the rivers Ganges and Indus, and (though this seems uncertain) the principal cities of India. If he

* Sir William Foster's "Descriptive Catalogue of the Paintings, Statues, etc. at the India Office," H.M.'s Stationery Office, 5th edition, 1924, includes a history of the building. To this little book the present chapter owes the information given in the text about the pictures and furniture.

passes into the Foreign Office Quadrangle he will find above our windows relief portraits of a rather oddly selected, though distinguished, All-India Eleven, including Sir William Jones the Orientalist, Bishop Heber, and Macaulay, while above their heads "in patient deep disdain" are eight statues representing what some unknown anthropologist considered to be the leading races of the Indian Empire. A Malay figures among these because the Straits Settlements then formed part of India, but the presence of a Bhil is slightly unexpected. Over the passage between the quadrangle and King Charles Street are statues of eight Indian Rulers ranging from Hyderabad to Kashmir, and including the Begum of Bhopal, who were our firm allies in the Mutiny.

The huge glass-roofed inner courtyard, which is the principal feature of the interior, was the work of Sir Matthew Digby Wyatt. Here in 1867 the Sultan of Turkey was entertained at a great ball, but little or no further use was made of it until 1902, when a reception was given for the Princes and the representatives of British India who had come to England for King Edward's coronation. His Majesty's sudden illness prevented his presence, but the Prince of Wales, His present Majesty, received the Indian guests. This was one of the most brilliant scenes that London ever witnessed; the robes and gems of the Indian Princes, the varied uniforms of Indian Army officers and sepoys contrasting with the dark blue of the diplomatists and civil officials, and the women's dresses and jewels were set off by banks of flowers. The Treasury paid

the bill, because Parliament and the British public had vigorously protested on discovering that, in accordance with financial orthodoxy, the entertainment of Indian representatives in a building belonging to India was to be charged to Indian revenues. The discovery of the suitability of this courtyard for ceremonial led to its loan subsequently to the Foreign Office for some of the annual King's Birthday receptions, and to its occasional use for similar purposes later (as on the visit to England of Lord Reading in 1925). Perhaps the most interesting ceremony held here was a quiet afternoon function during the War, when Her late Majesty Queen Alexandra presented colours to representatives of the Indian Army.

The Court is a highly decorated construction of Portland stone with red and grey granite columns and pilasters, in which Corinthian and Ionic features blend—or contrast. Twenty-eight busts of British soldiers who won distinction in India appear in the higher arches, statues of eight Governors-General, from Clive to Amherst, stand in the corner, and four historic scenes* are depicted in alto-rilievo panels.

From the East India Company the India Office has inherited, besides the Library already described, a very fine collection of pictures and much beautiful furniture, including some remarkable old clocks, while later bequests and occasional purchases have

* These are Sir Thomas Roe's reception by Jehangir, the grant of the Diwani by Shah Alam to Clive, the reception of Tipu Sultan's sons as hostages by Cornwallis, and the surrender of Sikh chiefs in 1849 to Sir William Gilbert.

given it many interesting pictures and drawings of Indian scenes and portraits of administrators. In the Council Room the Secretary of State occupies the old chair of the Chairman of the Directors, while the Vice-President sits in a smaller chair of the same style, believed to be the work of Chippendale himself. The door, and the tables round which the Members sit, are fine pieces of eighteenth-century woodwork, and the marble mantelpiece, with a sculptured allegorical design by Rysbrack, is nearly two hundred years old. On the walls hang portraits of Warren Hastings (by Romney), General Stringer Lawrence (by Reynolds), Sir Eyre Coote, Lord Cornwallis and Lord Wellesley. The Secretary of State's own room contains an admirable set of original paintings of the Moghul and Rajput schools. Many of the pictures in other rooms and in the corridors are of interest. There is a painting by Benjamin West of the Emperor Shah Alam conveying to Clive the grant of the Diwani of Bengal. Zoffany is represented by original paintings of Asaf-ud-Dowla of Oudh, of one of his ministers, and of General Palmer and his family, as well as by several engravings, including a tiger-hunting scene and a cock-fighting match at Lucknow in 1786. Portraits in some form, paintings, engravings, or photographs, of most of the notable figures in Anglo-Indian history are to be found in the Office, and in the Permanent Under-Secretary's room, as an unavailing injunction to " make up for coming late by going early," is the original portrait of Charles Lamb by Henry Meyer. Amongst the paintings of Asiatic dignitaries are portraits of Nadir Shah and Fath Ali Shah of

Persia, of Tipu Sultan of Mysore, and of Jung Bahadur of Nepal. Some of the portraits are rather unexpected. A fine portrait of Napoleon by J. Borely was executed for the town of Montpellier but hastily removed on the restoration of Louis XVIII, reclaimed by the painter, who had never been paid, and bought a few years later by Mr. John Mangles, who gave it to the Company. But large portraits of Napoleon III* and his consort were presented by the Emperor himself to the East India Company as a return for their contributions to the Paris Exhibition of 1855. One of the India Office messengers has a lasting memorial in a rather striking portrait; this is Giovanni Battista Falcieri, well-known to students of Byron's life, who was with his master to the end at Missolonghi, and, after enjoyment of the rank of Colonel in the insurgent Greek army, drifted penniless to England, travelled as Benjamin Disraeli's servant on his Mediterranean tour, and obtained later by his new master's good offices a messenger's post at the Board of Control and the India Office. Amongst the paintings in the Office, which include Indian, Persian and Chinese, are many landscapes and views of famous buildings, and pictures of historic events and scenes of Indian life, two rather gruesome instances of the latter being the sati of a Hindu widow and a "hook-swinging" rite, in which a

* A person who had accepted the hospitality of the Secretary of State and Council at the Coronation Reception of 1902, wrote furiously to the press demanding that these two pictures should be removed to one of the National collections. It is pleasant to know that a guest appreciates the pictures, but slightly unusual to find one demanding that his host's property should be confiscated.

Chinaman contemplates with hearty enjoyment the self-imposed torture of the devotees. The collection of Indian military medals on the first floor corridor has already been mentioned. Near it will be found the India Office War Memorial and stands of interesting old arms. On the same floor is a large painting by Mr. Frank Salisbury, R.B.A., "India's Homage to the Unknown Warrior," generously presented by the artist in 1924 after its exhibition at Wembley. This depicts an actual scene in Westminster Abbey, the King's Indian Orderly Officers standing by the grave of their comrade in arms.

The statuary represents several men of note: Cornwallis, for example, in a Roman toga* looking enviously at the two great Wellesley brothers and Eyre Coote in the more adequate garb of their own period; but the only sculptor of lasting fame whose work is represented here is Flaxman, who was commissioned by the Directors after the death of Warren Hastings to execute the marble statue now at the foot of the grand staircase.

The Staff

Much has been said in the preceding chapters about the work of the several branches of the Office, and a description of purely departmental changes would be of merely domestic interest. It may, however, be noted that in 1859 there were no less than seventeen distinct departments

* In two statues by Peter Scheemakers, Clive and Admiral Sir George Pocock are made to supplement Roman costume by the insignia of the Order of the Bath.

(exclusive of the India Audit Office) varying in size and importance, and in the rates of salary attached to their heads ; and that a process of rearrangement and economy, facilitated by the gradual retirement of senior officials of the Company's service, was steadily pursued. The main division into three Branches—Correspondence, Accounts, and Stores—was of long standing, but apart from special individual posts, certain departments fell outside this classification ; the work of one of these, the Records,* has already been mentioned. The Funds Department (long since amalgamated with the Accounts), primarily concerned with the administration of the Family Pensions funds, was also the repository in this country of the records of baptisms, marriages and burials of Europeans in India, and corresponded with the Administrators-General in India in the matter of estates and wills. The Records Department now has charge of these documents. The line between the Accounts and the Finance (the latter a department of the Correspondence Branch) has varied, but the Accounts has been responsible for the actual custody and disbursement of money, and performed, until the recent appointment of an Establishment Officer in the Correspondence Branch, most of the functions of an Establishment department. Its civil furlough and pension work has now passed, with much of its old personnel, to the High Commissioner, like the Stores Department, with the ancillary India Store Depôt. When the

* The High Commissioner's Office has taken over from this department the sale and distribution in England of Indian Government publications.

open competitive examination for the First Division of the Home Civil Service was inaugurated over half a century ago, the India Office and Indian Audit Office had recourse to it for the separate recruitment of Correspondence, Accounts, Stores and Audit junior clerks, and exchange between the Branches was very sparingly allowed.

The general description of India Office work in previous chapters renders it unnecessary to say much about the departments on the Correspondence side. The functions of four of these—Finance, Military, Political, and Public Works—are obvious from their names; they correspond to the Government of India departments with the same titles. But the more general administrative work has from time to time been rearranged between two departments (recently made into three) long known as "Revenue"* and "Judicial and Public," though the names of both have varied.

As part of the post-War reorganisation the functions of the old Revenue and Judicial and Public departments have been rearranged; and the three departments which now cover the same ground are the "Public and Judicial," attending to constitutional and legislative questions and the general internal administration, the "Economic and Overseas," and the "Services and General," which deals with the recruitment, organisation and conditions of the All-India Services, and with various miscellaneous matters. It has always been found

* In India "Revenue" means land revenue, the money paid by the landholder to the State; whether it is a rent or a tax is a problem of the same order as what song the Sirens sang.

impossible to model the sub-divisions at the India Office to correspond exactly with those of the Government of India, because the volume of work in the two secretariats falls differently; a heavily burdened Government of India department may be engaged mainly on matters which are settled by correspondence with the Provinces and require few references to the Secretary of State in Council.

The Secretaries in charge of the civil departments of the India Office Correspondence Branch have frequently been taken from the Indian Civil Service or Political Department. This system was open to the criticism that it duplicated the Indian experience already provided by the presence of the Council.* These Secretaries were often retired heads of Indian provinces or Members of Executive Councils in India, of the same calibre as Members of the Council of India, and frequently destined to join that body later on. On many important questions the Permanent Under-Secretary of State (if, as was the fact for half a century after 1860, he was not himself a retired Indian civilian), was the only responsible official adviser to whom the Secretary of State could look for what may be called the non-Service point of view; a fact that probably explains the note of criticism underlying a letter that Sir Louis Mallet, before his retirement, addressed in 1882 to the Secretary of State, Lord Hartington:—

* Sir George Chesney ("Indian Polity," 3rd edition, pp. 374-378) commented on this state of affairs, and drew the inference that Members of Council should be given direct charge of departments, as in the Government of India. See also p. 36, *supra*.

"The under-secretaryships in the three great political offices, Foreign, Colonial, and Indian, are certainly among the most important appointments which a Government has to make, for, though obscure and subordinate, the holders have at least much power both of causing and preventing mischief.

"As regards India, it is, I am convinced, more and more to be desired, with a view to the inevitable tendencies of things, that whoever fills my office should possess the habits of thoughts and of political training engendered by contact with English public life, and that he should be in sympathy with the best form of liberal opinions.

"At the centre of a vast administration, composed of powerful Services, the India Office is the connecting link between two systems of government, the Parliamentary and the autocratic, which are always liable to be brought into dangerous collision, and the under-secretary is the one permanent official whose especial function it should be to resist and restrain the influences of the bureaucratic spirit which always animates and pervades, more or less, Anglo-Indian counsels, and to endeavour to throw light on the dark places in Indian government.

"It is also very important that he should have a general knowledge of economic and financial principles, or he will be of little use in unravelling the intricate threads of the various complex problems of Indian administration."*

* Bernard Holland, "Duke of Devonshire," Vol. I, p. 381. The greater part of the letter is printed also in the "Life" of Sir Louis Mallet by his son. It may surprise the reader to be told that Sir Louis went on to recommend as the best successor

It would ill become a writer who was as a junior trained by men with so great a knowledge of India as Sir Philip Hutchins and the late Sir Charles Lyall to question the advantages that might be derived from the presence in a department of an Indian administrator. But for the India Office as a branch of the Home Civil Service the system of habitually filling ordinary departmental posts in this way had one great disadvantage. It debarred men coming from the University with high honours and throwing themselves keenly into their work from earning at the India Office the departmental promotion which would have come to them as a matter of course in the Treasury, the Colonial Office, or the Home Office. The Public Works and Finance secretaryships were indeed habitually filled from the India Office staff; in the latter post the late Sir Lionel Abrahams and the late Mr. Frank Lucas obtained at a comparatively early stage the opportunity of proving their great abilities. But three of the most important secretaryships were in practice barred to the permanent staff until about twenty years ago, when the wiser policy was adopted of treating these posts as open to selected men of either the Home or the Indian Service. The question of interchange of posts between the two Services has often been discussed without result; the standing difficulty is that, while a comparatively junior Indian civilian would often be glad to join,

to himself, if available, a Royal Engineer officer who had received his training in civil affairs in the Government of India. But that officer, already committed to work in Egypt, was the late Lord Cromer.

and be very useful at, the India Office for a year or two, the home official of similar standing, even if desirous of a spell of service in India, would be handicapped by ignorance of the vernacular and the Indian law codes. But the War brought about the temporary employment in Whitehall of numerous Indian civilians on leave, who were content to sink seniority and do the work of clerks released for military service, and from time to time officers from India are placed on deputation at the India Office for some special piece of work. It required half a century for the Whitehall authorities to perceive the usefulness of allowing young India Office men to have a tour in India with any of the numerous commissions sent from this country to investigate Indian administration, or to be deputed on special duty, though the Colonial Office had not infrequently given members of its staff a tour of duty overseas. Yet the advantages for Home and Indian officials of closer personal contact and mutual acquaintance with the methods of work are obvious enough. Certain special posts at the India Office requiring technical knowledge are rightly reserved for officers of the Indian services, and in connection with one of these, now abolished, the post of Reporter on Economic Products, the vivid and versatile personality of the late Sir George Birdwood is affectionately remembered. His encyclopædic knowledge sometimes manifested itself in surprising forms. His monograph on the Carrot is one of the treasures of the old Revenue department. This arose out of a proposal to import carrot seed into the Punjab at a time of scarcity, and Sir George

took occasion to write a valuable essay on the acclimatisation of plants in Europe, to trace the significance in folk-lore and primitive religions of many respectable and some highly disreputable vegetables, and to discuss the employment of botanical emblems in heraldry and art. Meanwhile a would-be profiteer, overhearing (so Sir George maintained) a Parliamentary Under-Secretary mention at his club that the proposal had been made, promptly "cornered" all the carrot seed in the European market, with the result that the authorities found the price too high to justify the experiment. But the monograph on the Carrot remains.

Although for the last half-century recruited, like the rest of the Home Civil Service, by the Civil Service Commissioners, except for the introduction of high officials from India and the existence of small technical and specialist branches, the India Office has had a somewhat distinctive life of its own. The original Members of Council are said to have continued for a short time the custom of a free daily meal which, as Directors of the Company, they had regularly enjoyed. Thomas Love Peacock's rhyme is evidence that the higher permanent officials had shared this privilege: his description of an office day in Leadenhall Street does not suggest plain living and high thinking:

"Ten to eleven, have breakfast for seven.
Eleven to noon, think you've come too soon.
Twelve to one, wonder what's to be done.
One to two, find nothing to do.
Two to three, begin to see
'Twill be a great bore to stay till four!"

But this system of "free maintenance in the Prytaneium" was soon abandoned by the Council, and never applied to the India Office Staff.

Certain of the higher appointments have not required a Civil Service Commissioner's certificate for their incumbents. This does not imply that the Legal Adviser, for example, is a less learned person than a junior clerk. But just as the Board of Education displayed a refreshingly sceptical spirit in refusing to select its higher staff by competitive examination, the India Office considered it unnecessary to compel a retired Chief Justice or Lieutenant-Governor to satisfy the Civil Service Commissioner that he was competent to undertake the work of a clerk. The special appointments at the India Office include a few military and medical officers, and railway and telegraph specialists, as well as the legal assistants and the higher staff of the Library. Certain special duties are assigned to the ordinary staff; the Clerk to the Council, responsible for the writing and custody of the Minutes of Council meetings, has always been an Assistant Under-Secretary of State but he is aided by a deputy clerk to the Council and by a reading clerk. The latter used to read aloud all draft despatches that came before a meeting of Council, until Lord Morley found the process intolerable. Since his time only drafts which it is necessary for reasons of urgency to submit to Council without the usual preliminary of deposit for some days in the Council reading-room exercise the elocutionary powers of the reading clerk. The "Resident Clerks" who (as in the other offices

concerned with overseas affairs) despatch and receive official cablegrams at nights and during the week-ends, inhabit a self-contained flat at the top of the building, and, if their reminiscences had been collected and published, would probably be found to have adopted a peculiar dichotomy of Secretaries of State and Viceroys into those who recognise a difference between telegrams and Parliamentary orations as a method of expression and those who do not. Another special piece of work done outside office hours is the editing of "The India Office List," a compendium of information on the official world which can never be quite up to date since posts in India change hands constantly. Lord Curzon once indignantly sent, in a letter to the Secretary of State, a list of Errata in this work "which I noticed on taking it up one evening." "Presumably His Excellency's idea of light after-dinner reading!" was the Whitehall comment.

The India Office has not been dependent on the Office of Works, but has maintained its own Surveyor. The Store Depôt in Lambeth employed a fairly large staff of artisans and labourers. Thus labour questions were at times impressed on the higher staff, but the affairs of their humbler colleagues occasionally provided more unusual problems, as when a certain workman released for military service whose domestic arrangements proved to be on unorthodox lines submitted an eloquent petition about a separation allowance "for my Platonic wife and child." The India Office Messengers have for long been recruited from ex-Service men, generally non-commissioned or petty officers;

some knowledge of Hindustani may be an additional qualification, as it is desirable that Indian lascars, or petitioners of the uneducated classes, should find intelligible as well as friendly advice if they call in Whitehall. This arrangement may be due to the discovery years ago by a high official of a stately and benevolent office messenger haranguing a stranded troupe of Indian jugglers (totally ignorant of English but greatly impressed by his manner): "Now, my good people, we are doing all we can for you, but what you have got to remember is that Rome was not built in a day!" Before the decision to employ only ex-Service men the India Office Messengers came from very varied walks of life; witness Falcieri, Byron's old servant, already mentioned.

The present establishment of the India Office (excluding messengers, workmen, and the house-keeping staff) is as follows: Administrative 47, Executive 41, Clerical 187, Typists 45; this total of 320 includes 78 women. Of the 242 men, 161 served in the War, 47 of whom were disabled for further military service. In addition to this ordinary staff there are 34 "special appointments," ranging from the Military Secretary, Legal Adviser, and Political A.D.C. to Record-keepers. The India Audit Office has a staff of 28 (3 women and 25 men, of whom 11 have War service).

The filling of the post of Permanent Under-Secretary of State for India, as of the corresponding offices elsewhere, is a matter of more than departmental concern. There have been eight incumbents during the sixty-seven years of its existence, and

they have been drawn from several different spheres. The first, Sir George Clerk (1858-1860), a retired Indian Civilian with a fine record, came on from the Board of Control. He was afterwards a Member of the Council. His successor, Mr. Herman Merivale, a man of intellectual and literary distinction, reigned for fourteen years, and was succeeded by Sir Louis Mallet, who had a rather unusual official history. An official of the Board of Trade, he had been appointed a Member of the Council of India for his special economic knowledge, and after two years on the Council was made Under-Secretary. He was succeeded in 1883 by Sir Arthur Godley (now Lord Kilbracken), who as private secretary to Mr. Gladstone had every opportunity of acquiring the qualifications mentioned as desirable by Sir Louis Mallet in the letter already quoted, but was at the time of his appointment a Commissioner of Inland Revenue. For twenty-six years he presided at the India Office, earning alike in England and in India among the men whose opinions about public affairs counted, an unprecedentedly high reputation as a wise counsellor and expert administrator. So much a former subordinate must be allowed to say of a chief to whom he owes a manifold debt; more than this Lord Kilbracken would not desire. On his retirement in 1909 the late Sir Richmond Ritchie, the first member of the permanent staff of the India Office to attain its highest place, held the post until his untimely death three years later. With an hereditary connection with India, he brought into official life a very high quality of literary expression, a caustic wit and

essential kindness of heart which recalled his kinsman, Thackeray, and a close understanding of and intense interest in Indian affairs. He was succeeded by the late Sir Thomas Holderness, a retired Indian Civilian who had for some years held the post of Revenue Secretary at the India Office. His wide knowledge is shown in a notable little book, "Peoples and Problems of India," from which readers can judge the remarkable gifts that were devoted to his long career of administrative work. In style, lucidity, and comprehensiveness, he is unsurpassed among writers on Indian subjects. It fell to him to carry the office during the War years; setting his face sternly against the extravagance in public administration which did so easily beset us at that period, he gave an example of unremitting industry and staunchness of heart which were an inspiration to those who served under him. He contributed much to the work of codification which produced the Government of India Act, and his knowledge, judgment and critical faculties influenced the shaping of the constitutional reforms, and justified his special retention in the service, with the sanction of Parliament, to the age of seventy. He was followed in 1920 by the late Sir William Duke, also a retired Indian Civilian, who had acted as Lieutenant-Governor of Bengal, joined the Council in Whitehall in 1914, and had a considerable share in working out the scheme of constitutional Reforms. The adaptation to the new conditions of the administration at Whitehall was a task for which he was specially qualified by his understanding of India and his sound practical judgment.

After his sudden death in 1924, the appointment was conferred on Sir Arthur Hirtzel, sometime Fellow of Brasenose College, Oxford, the second permanent civilian of the India Office to become Under-Secretary, for whom an old friend may be permitted to wish as successful a tenure of the post as his devotion to the best interests of India deserves.

Appendix I

SECRETARIES OF STATE AND VICEROYS

The holders of these offices are here described by the styles which they held at the time.

	Secretaries of State.	*Viceroys and Governors-General.*	
1858	Lord Stanley	Viscount Canning	1858
1859	Sir Charles Wood		
		8th Earl of Elgin	1862
		Lord Lawrence	1864
1866	Earl De Grey and Ripon (later Marquis of Ripon)		
1866	Viscount Cranborne (later Marquis of Salisbury)		
1867	Sir Stafford Northcote		
1868	Duke of Argyll		
		Earl of Mayo	1869
		Lord Northbrook	1872
1874	Marquis of Salisbury (2nd time)		
		Earl of Lytton	1876
1878	Viscount Cranbrook		
1880	Marquis of Hartington	Marquis of Ripon	1880
1882	Earl of Kimberley		
		Earl of Dufferin	1884
1885	Lord Randolph Churchill		
1886	Earl of Kimberley (2nd time)		

Secretaries of State.		*Viceroys and Governors-General.*	
1886	Viscount Cross		
		Marquis of Lansdowne	1888
1892	Earl of Kimberley (3rd time)		
1894	Sir Henry Fowler	9th Earl of Elgin	1894
1895	Lord George Hamilton		
		Lord Curzon*	1899
1903	Right Honble. St. John Brodrick		
1905	Right Honble. John Morley (became in 1908 Viscount Morley of Blackburn)	Earl of Minto	1905
1910	Earl (later Marquess) of Crewe	Lord Hardinge of Penshurst	1910
1915	Right Honble. Austen Chamberlain		
		Lord Chelmsford	1916
1917	Right Honble. Edwin Montagu		
		Earl of Reading	1921
1922	Viscount Peel		
1924	Lord Olivier		
1924	Earl of Birkenhead		
		Lord Irwin	1926

* Lord Curzon vacated the office by returning to England in April, 1904, and was reappointed in December. In the interval Lord Ampthill, as senior Presidency Governor, held the vacant office. When Lord Reading came to England on leave in 1925, Lord Lytton, as senior Presidency Governor, acted as Governor-General.

Appendix II

THE INDIAN ORDERS AND MEDALS

THE Most Exalted Order of the Star of India was instituted in 1861 to consist of the Sovereign, a Grand Master (the Viceroy) and twenty-five Knights (apart from Extra or Honorary Knights), who were known as K.S.I. Only sixteen appointments were made in the first instance, the British recipients of the K.S.I. being Lord Gough, Lord Harris, Lord Clyde (Sir Colin Campbell), Sir John Lawrence, Sir James Outram, Sir Hugh Rose, and Sir George Clerk. In 1866 the Order was greatly enlarged, and the three present classes were formed: the G.C.S.I., still limited to twenty-five, absorbed the existing holders of the K.S.I., while provision was made for a second class (K.C.S.I.) of fifty and a third (C.S.I.) of one hundred members. For the second and third classes services in (not merely "to") the Indian Empire were made a necessary qualification. This qualification of service has been preserved, except that since 1876 "not less than thirty years' service in the Department of Our Secretary of State for India" has rendered officials eligible. The Order has been from time to time enlarged, and now, as regards ordinary members, is limited to forty-four Knights Grand Commander ("of whom twenty-two shall be Native Princes and Chiefs of India and twenty-two British subjects"),

one hundred Knights Commander, and two hundred and twenty-five Companions.

The Order of the Indian Empire also started with one class only, but that original class was the Companionship (C.I.E.). Instituted in 1877 "to commemorate the event of the proclamation of Our style and title of Empress of India," with the Sovereign, a Grand Master (the Viceroy) and not more than fifty Companions (with an annual limitation of twenty new members), it was to be bestowed upon "persons who by their services, official or other, to Our Empire in India, have merited Our Royal favour, and upon such distinguished representatives of Eastern Potentates as We, Our heirs and successors may think fit." In 1886 a higher class of Knights Commander was added, and the Order became "The Most Eminent." The third or highest class of Knights Grand Commander (G.C.I.E.) was added in 1887. But a series of further modifications and enlargements has brought the Order to its present form. Apart from Honorary, Extra, or Additional Members, the ordinary number of Knights Grand Commander now stands at 40, and that of Knights Commander at 140, while the annual number of new Companions has been raised to 48.

The year 1877 saw also the institution of the Imperial Order of the Crown of India (C.I.) for ladies, limited to Princesses of the Royal House, "the Wives or other female relatives of such Princes of Our Indian Empire, and such other Indian Ladies as We, Our heirs and successors, shall from time to time think fit," and to the "Wives or other female

relatives" of a few very high officials connected with India.

As regards the Imperial Orders, senior officers of the Indian Army are eligible for the Military Division of the Bath, and the Royal Victorian Order and the Order of the British Empire extend to India. The Imperial Service Order (I.S.O.), instituted in 1902 and extended to India in 1912, reserves two hundred Companionships out of seven hundred for the Civil Services in India and the India Office. A decoration, the precedence of which contrasts rather sharply with the quality of the action by which it is often earned, is the King's Police Medal (1909), awarded for acts of exceptional courage or skill or conspicuous devotion to duty. The annual award for India is limited to fifty. Recommendations are made by the Government of India to the Secretary of State, who, if he approves, transmits them to the Secretary of State for Home Affairs* for submission to His Majesty. Perusal of the unemotional pages of the *London Gazette* will show the very remarkable acts of courage on the part of officers and men of the Indian Police that have been recognised by the award of this distinction; the hunting down of dacoits may involve actions which would earn for a military or naval officer a high military decoration.

India has a separate minor distinction in the "Kaisar-i-Hind" Medal (as well as in the Durbar Medals created for special occasions), awarded for Public Service in India. The medal, instituted by Queen Victoria in 1899, has two classes, gold and

* *See* "The Home Office," by Sir Edward Troup, p. 32.

silver, and bars may be awarded for further services. Its range is, of course, wide and it has provided a means of recognising devoted service in combating famine, as well as useful and unostentatious medical or educational work. Its award in 1923 to Mrs. Starr for a perilous journey into tribal territory to rescue an English girl is fresh in the public memory.

India has two military decorations* of her own—the Order of British India and the Indian Order of Merit, both instituted in 1837, nineteen years before the Victoria Cross, and awarded by the Government of India. As regards the Distinguished Service Order and the Military Cross the Indian Army is in the same position as the British, while for the Military Divisions of the Bath and the British Empire Orders it has a separate allotment. The Indian Distinguished Service Medal is, for Indian officers and other ranks, the equivalent of the British D.S.M.

The Order of British India was established for "Native officers" only, for long and honourable service, with two classes. The Indian Order of Merit was founded for the recognition of any conspicuous act of gallantry on the part of any "Native officers or soldiers" in the field. A Civil Division of the Order with three classes was subsequently established, to be "conferred on natives of India, whether servants of Government or not, as a reward for personal bravery shown in aid or support of the public authority or safety."

* *See* J. H. Mayo's "Medals and Decorations of the British Army and Navy," Vol. II, pp. 437-446.

The Victoria Cross, from October, 1857, was open to European officers of the Indian Army and Indian Navy (the precursors of the Royal Indian Marine), in 1858 was extended as regards Europeans to "non-military persons who have borne arms against the Mutineers," and in 1881 to members of the Indian Ecclesiastical establishments serving with troops in the field. The ineligibility of Indians was not, at least in the first instance, due to the Home Government. The Government of India had stated that "as Native troops are eligible to (*sic*) honorary distinctions, the Order of Merit (accompanied by pecuniary emolument) being available to them exclusively, we do not recommend the extension of the Order of the Victoria Cross to the Native troops." But as time went on it became a striking anomaly that Indian soldiers could not win an honour open to all other Imperial Forces, including native troops in Africa, and the decision of 1914 was universally felt to remove what had become an indefensible differentiation.

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